



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREA GAZETTE

No. 93 of 6th FEBRUARY, 1964.

LEGISLATION.

ORDINANCE 2 OF 1964.

AN ORDINANCE
TO AMEND THE TOBACCO ORDINANCE.

DENIS BARNETT,
ADMINISTRATOR.

27th January, 1964.

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

1. This Ordinance may be cited as the Tobacco (Amendment) Ordinance, 1964, and shall be read as one with the Tobacco Ordinance (hereinafter referred to as "the principal Ordinance").

Short title.
Cap. 147
(Laws of
Cyprus) and
Ord. 26 of 1961.

2. Section 8 of the principal Ordinance is hereby amended by deleting in the second and third lines of subsection (2) thereof the words "not being less than twenty days".

Section 8 of the
principal
Ordinance
amended.

3. Section 10 of the principal Ordinance is hereby amended by deleting the proviso thereto and substituting therefor the following:-

Section 10 of the
principal
Ordinance
amended.

"Provided that in the event of such tobacco being sold before it has been removed to a tobacco warehouse as provided in section 11 of this Ordinance such tobacco shall, before sale and removal from the grower's premises, be weighed in the presence of an Excise Officer who thereupon shall-

- (a) Cancel or amend the certificate of registration so as to show the exact quantity of tobacco remaining in the possession of the grower; and
- (b) register in the name of the purchaser the tobacco purchased by him; and
- (c) issue a certificate for the removal of any tobacco purchased to the premises of the purchaser:

Provided further that no grower may sell any tobacco except to a licensed dealer”.

4. Section 11 of the principal Ordinance is hereby amended:-

- (a) by deleting subsection (1) thereof and substituting therefor the following new subsection:-

“(1) Any tobacco in the possession of any grower in any year shall, within twenty-one days from such date as may be notified by the Fiscal Officer, be transported at the expense of the grower for storing in a tobacco warehouse.”;

- (b) by deleting subsection (2) thereof, the existing subsection (3) being renumbered subsection (2);
- (c) by deleting in the second line of subsection (3) thereof the words “any Customs House or”.

5. The principal Ordinance is hereby amended by inserting immediately after Section 13 thereof the following new section, to be numbered 13A:-

“13A. Every grower shall take all reasonable care and precautions to safeguard any tobacco in his possession against theft, loss or damage.”.

6. Section 14 of the principal Ordinance is hereby amended by deleting subsection (1) thereof and substituting therefor the following new subsection:-

“(1) Any grower who fails to notify the Surveyor of Customs as provided in Section 12 or 13 of this Ordinance or who fails to take all reasonable care and precautions to safeguard any tobacco in his possession as provided in Section 13A of this Ordinance shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding fifty pounds.”.

7. Section 16 of the principal Ordinance is hereby amended by deleting in the first line of subsection (3) thereof the words “two hundred and fifty” and substituting therefor the words “one thousand”.

Section 11 of the principal Ordinance amended.

New Section 13A added to the principal Ordinance.

Section 14 of the principal Ordinance amended.

Section 16 of the principal Ordinance amended.

8. Section 21 of the principal Ordinance is hereby amended:-

Section 21 of
the principal
Ordinance
amended.

- (a) by deleting subsection (1) thereof and substituting therefor the following new subsection:-

“(1) Any tobacco purchased by a dealer shall immediately after purchase be transported for storing at the expense of the dealer to a tobacco warehouse.”.

- (b) by deleting subsection (2) thereof, the existing subsection (3) being renumbered subsection (2);
- (c) by deleting in the second line of subsection (3) thereof the words “any Customs House or”;
- (d) by inserting immediately after subsection (2) the following new subsections, to be numbered subsections (3), (4), (5), (6) and (7) respectively:-

“(3) Every tobacco warehouse where any tobacco in the possession of a dealer has been transported for storing shall be secured by two locks and the key of the one lock shall remain in the custody of such Excise Officer as the Surveyor of Customs may from time to time appoint and such lock shall not be opened except by such officer, and the key of the other lock shall be kept by the dealer.

(4) The days and hours during which any tobacco warehouse may be open for work shall be such as may be approved by the Fiscal Officer, but so that the ordinary hours of duty per week of any Excise Officer performing duty therein shall not exceed those prescribed for Customs Officers under the Customs Management Ordinance, or any Ordinance amending or substituted for the same.

Cap. 315 (Laws
of Cyprus)
and Ordinance
14 of 1961 and
15 of 1963.

(5) Overtime work outside such approved days and hours may be permitted by the Surveyor of Customs upon written application by the dealer concerned and payment by him of fees at such rates and under such conditions as may be prescribed under the Customs Management Ordinance, or any Ordinance amending or substituted for the same.

(6) The Fiscal Officer, the Surveyor of Customs or any Excise Officer may without a warrant enter any tobacco warehouse wherein tobacco is kept or wherein he has reasonable ground to believe that tobacco is kept by a dealer and examine, weigh and verify the stock of such dealer.

(7) Whenever the Surveyor of Customs shall think

fit, the stock of tobacco in any tobacco warehouse or under the control of a dealer shall be weighed in the presence of an Excise Officer and an account thereof taken.”.

Section 22 of the principal Ordinance amended.

9. Section 22 of the principal Ordinance is hereby amended:-

(a) by deleting subsection (2) thereof and substituting therefor the following new subsection:-

“(2) Every dealer shall take all reasonable care and precautions to safeguard any tobacco in his possession against theft, loss or damage.”

(b) by inserting immediately after subsection (2) thereof the following new subsection to be numbered subsection (3), the existing subsection (3) being renumbered subsection (4):-

“(3) Any dealer who fails to notify the Surveyor of Customs as provided in subsection (1) of this Section or who fails to take all reasonable care and precautions to safeguard any tobacco in his possession as provided in subsection (2) of this Section shall be guilty of an offence and shall on summary conviction be liable to imprisonment not exceeding six months or to a fine not exceeding fifty pounds or to both such imprisonment and fine.”.

Section 24 of the principal Ordinance amended.

10. Section 24 of the principal Ordinance is hereby amended by deleting in the third line of subsection (2) thereof the words “five pounds” and substituting therefor the words “thirty pounds”.

Section 33 of the principal Ordinance amended.

11. Section 33 of the principal Ordinance is hereby amended:-

(a) by deleting in the second and third lines thereof the words “such store as may be approved by the Surveyor of Customs” and substituting therefor the words “a tobacco warehouse”;

(b) by deleting in the fourth line thereof the word “store” and substituting therefor the words “tobacco warehouse”.

Section 35 of the principal Ordinance amended.

12. Section 35 of the principal Ordinance is hereby amended by inserting immediately after the word “factory” in the first line of subsection (1) thereof the words “or tobacco warehouse as provided in Section 33 of this Ordinance”.

Section 36 of the principal Ordinance amended.

13. Section 36 of the principal Ordinance is hereby amended by deleting in the third line thereof the word “store” and substituting therefor the words “tobacco warehouse”.

14. Section 42 of the principal Ordinance is hereby amended by inserting immediately after subsection (2) thereof the following new subsection, to be numbered (3):-

Section 42 of the principal Ordinance amended.

“(3) Notwithstanding anything in this section contained where any tobacco manufactured in the Areas is delivered from a factory to any of the following privileged organisations, bodies or persons for their exclusive use or consumption or (in the case of such organisations or bodies) sale to their members, provided that such tobacco is certified to the satisfaction of the Fiscal Officer to be received for such use, consumption or sale, such tobacco shall be exempt from the payment of excise duty upon such conditions as the Fiscal Officer may impose:-

- (i) The Navy, Army and Air Force Institutes (NAAFI);
- (ii) The Forces of the Kingdom of Greece and the Republic of Turkey stationed in the Republic in accordance with the Treaty of Alliance signed at Nicosia on the 16th August, 1960; and
- (iii) any other privileged organisation, body or person entitled to import manufactured tobacco free of duty under any Ordinance.”

15. Section 46 of the principal Ordinance is hereby amended by deleting in the second line thereof the word “five” and substituting therefor the word “one”.

Section 46 of the principal Ordinance amended.

16. The principal Ordinance is hereby amended by repealing Section 52 thereof and substituting therefor the following new section:-

Section 52 of the principal Ordinance repealed and replaced.

“Drawback on export of cigarettes.

52. On the exportation or sale of cigarettes free of excise duty under subsection (3) of Section 42, manufactured in the Areas wholly or partly from imported unmanufactured tobacco, there shall be payable a drawback of the full customs import duty which it is shown to the satisfaction of the Fiscal Officer has been paid on every oke of such imported unmanufactured tobacco contained in such cigarettes:

Provided that no drawback shall be payable in respect of any consignment of cigarettes of which the manufactured tobacco contained therein is less than one oke in weight.”

New Section
58A added to
principal
Ordinance.

17. The principal Ordinance is hereby amended by inserting immediately after Section 58 thereof the following new section, to be numbered 58A:-

“Smoking of
unmanufactured
tobacco or tumbeki
prohibited.

58A—(1) No person shall smoke or possess for smoking unmanufactured tobacco or tumbeki grown in Cyprus.

(2) Any person acting in contravention of subsection (1) of this section shall be guilty of an offence and shall on summary conviction be liable to imprisonment not exceeding six months or to a fine not exceeding fifty pounds or to both such imprisonment and fine and any tobacco or tumbeki in his possession shall be forfeited.”.

Section 59 of
the principal
Ordinance
amended..

18. Section 59 of the principal Ordinance is hereby amended by inserting immediately after the words “cultivate tumbeki” in the first line thereof the words “or possess tumbeki grown in Cyprus”.

Second Schedule
to the principal
Ordinance
repealed and
replaced.

19. The principal Ordinance is hereby amended by repealing the Second Schedule thereof and substituting therefor the following new Schedule:-

“SECOND SCHEDULE

(Section 55)

FEES

	Per Annum £ mils.
Licence to sell manufactured tobacco and tumbeki	1.500
Hawker's licence	2.000

Provided that the fee payable in respect of a licence issued after the thirteenth day of September in any year shall be one-half of the fees herein prescribed.”.

I.M.G. WILLIAMS,

27th January, 1964.

Chief Officer.

ORDINANCE 3 OF 1964.

AN ORDINANCE

TO AMEND THE DOCUMENTS (SPECIAL DUTY) ORDINANCE.

DENIS BARNETT,
ADMINISTRATOR.

27th January, 1964.

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

1. This Ordinance may be cited as the Documents (Special Duty) (Amendment) Ordinance, 1964, and shall be read as one with the Documents (Special Duty) Ordinance, 1962 (hereinafter referred to as "the principal Ordinance").

Short title.

Ordinance 7
of 1962.

2. The Schedule to the principal Ordinance is hereby amended by deleting sub-items (b) and (c) under the item Chapter 147 "Tobacco Ordinance", and relettering the subsequent sub-items (d) and (e) as (b) and (c) respectively.

Schedule of
principal
Ordinance
amended.

I.M.G. WILLIAMS,

27th January, 1964.

Chief Officer.

ORDINANCE 4 OF 1964.

AN ORDINANCE

TO AMEND THE WRECKS ORDINANCE.

DENIS BARNETT,
ADMINISTRATOR.

27th January, 1964.

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

1. This Ordinance may be cited as the Wrecks (Amendment) Ordinance, 1964, and shall be read as one with the Wrecks Ordinance, (hereinafter referred to as "the principal Ordinance").

Short title.

Cap. 298
(Laws of
Cyprus).

Section 24 of
the principal
Ordinance
amended.

2. Section 24 of the principal Ordinance is hereby amended:-

- (i) by re-numbering the said Section as subsection (1);
- (ii) by inserting immediately after the said subsection the following new subsection, to be numbered (2):-

“(2) Where salvage services are rendered by, or on behalf of Her Majesty, whether in right of Her Government in the United Kingdom or otherwise, Her Majesty shall be entitled to claim salvage in respect of those services to the same extent as any person claiming under the provisions of subsection (1) of this Section and shall have the same rights and remedies in respect of those services as such person”.

Section 35 of
the principal
Ordinance
repealed.

3. The principal Ordinance is hereby amended by repealing Section 35 thereof.

Section 36 of
the principal
Ordinance
repealed and
replaced.

4. The principal Ordinance is hereby amended by repealing Section 36 thereof and substituting therefor the following new Section:-

“36—(1) No claim for salvage services by the Commander or crew or part of the crew of any of Her Majesty’s ships shall be finally adjudicated upon, unless the consent of the Admiralty to the prosecution of that claim is proved.

(2) Any document purporting to give the consent of the Admiralty for the purpose of this Section, and to be signed by the Secretary to the Admiralty or on his behalf, shall be evidence of that consent.

(3) If a claim is prosecuted and the consent is not proved, the claim shall stand dismissed with costs.”

I.M.G. WILLIAMS,

Chief Officer.

27th January, 1964.

AN ORDINANCE

TO AMEND THE PUBLIC HEALTH (VILLAGES) ORDINANCE.

DENIS BARNETT,
ADMINISTRATOR.

27th January, 1964.

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

1. This Ordinance may be cited as the Public Health (Villages) (Amendment) Ordinance, 1964, and shall be read as one with the Public Health (Villages) Ordinance, (hereinafter referred to as "the principal Ordinance").

Short title.

Cap. 259
(Laws of
Cyprus).

2. Section 7 of the principal Ordinance is hereby amended by inserting immediately after paragraph (p) of subsection (1) thereof the following new paragraphs to be lettered (q) to (y) respectively:

Section 7 of
principal
Ordinance
amended.

- (q) generally promote the improvement and development of the village;
- (r) provide farm roads and bridle paths and maintain them;
- (s) regulate or prevent the keeping of swine and regulate the keeping of other animals and birds so that their keeping shall not be a public nuisance or injurious to health;
- (t) regulate and control the licensing of any theatre, building, tent or place used for the performance of any stage play or cinematograph exhibition or for dancing or for any entertainment to which the public is admitted or for any public meeting, and impose charges on shows or performances therein;
- (u) regulate and control the keeping of coffee houses, kilns, khans, mandras, olive presses, manure heaps and threshing floors;
- (v) prohibit the depositing of any waste matter or thing in any public or private place in a manner detrimental to public health or the good appearance of the area;
- (w) with the approval of the Area Officer name or re-name, where necessary, any roads, streets, lanes and squares, such names to be affixed in a conspicuous place therein, and cause the buildings in such roads, streets, lanes and squares to be numbered;

Cap. 113 (Laws
of Cyprus)
and Ordinance
12 1963.

- (x) compulsorily acquire property for any of its purposes in accordance with the provisions of the Land Acquisition Ordinance;
- (y) regulate and control the hawking of goods and impose fees on such vendors.

Section 9 of
the principal
Ordinance
amended.

3. Section 9 of the principal Ordinance is hereby amended by deleting the word "ten" appearing in the second line of subparagraph (i) of paragraph (c) of subsection (1) thereof and substituting therefor the word "thirty".

Section 10 of
the principal
Ordinance
amended.

4. Section 10 of the principal Ordinance is hereby amended by inserting immediately at the end thereof, the following proviso:-

"Provided that if the sum to be borrowed does not exceed a sum arrived at by multiplying a number equal to the number of occupiers by three, the authority of the Area Officer shall be sufficient."

Section 11 of
the principal
Ordinance
amended.

5. Section 11 of the principal Ordinance is hereby amended by deleting the word "two" appearing at the end of the penultimate line thereof and substituting therefor the word "twenty".

Section 12 of
the principal
Ordinance
amended.

6. Section 12 of the principal Ordinance is hereby amended by inserting immediately after subsection (4) thereof the following new subsection to be numbered (5):-

"(5) The treasurer shall receive as remuneration a fee calculated at 5% of each assessment, provided that the fee shall not in respect of any assessment exceed the sum of ten pounds".

Section 17 of
the principal
Ordinance
amended.

7. Section 17 of the principal Ordinance is hereby amended by deleting the word "ten" appearing in the last line of subsection (2) thereof and substituting therefor the words "twenty five".

I.M.G. WILLIAMS,

27th January, 1964.

Chief Officer.
