



**SUPPLEMENT No. 2**

**TO**

**THE SOVEREIGN BASE AREAS GAZETTE**

**No. 402 of 12th March, 1975.**

**LEGISLATION**

**ORDINANCE 1 OF 1975.**

**AN ORDINANCE**

**TO AMEND THE TERMINATION OF  
EMPLOYMENT ORDINANCE, 1967.**

**JOHN AIKEN**

*28th February, 1975.*

**ADMINISTRATOR**

**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 Termination of Employment (Amendment) Ordinance, 1975 and shall be read as one with the Termination of Employment Ordinance, 1967 as amended from time to time (hereinafter referred to as "the principal Ordinance").

Short title.

Ordinances  
12 of 1967,  
7 of 1968,  
2 of 1970  
and 6 of 1973.

2. Section 2 of the principal Ordinance is hereby amended—

Section 2 of the  
principal  
Ordinance  
amended.

(a) by deleting the definition "employee" appearing therein and substituting therefor the following new definition:—

"'employee' means every person, other than a privileged person, who works for another person under a contract of service or apprenticeship or in such circumstances as to lead to the conclusion that there exists a relationship of employer and employee; and the term "employer" shall be construed accordingly and shall include the Crown in any capacity and authorised Service organisations;";

(b) by inserting in the second proviso to the definition "wages" appearing therein immediately after the word "gratuities" the word "special".

Fifth Schedule  
of the principal  
Ordinance  
amended.

3. The Fifth Schedule to the principal Ordinance is hereby amended by deleting the word "twenty" in the proviso thereto and substituting therefor the word "thirty".

Certain  
provisions  
of Part V  
of the principal  
Ordinance  
suspended.

4. The operation of the provisions of Part V of the principal Ordinance relating to the rights of employees to a redundancy payment from the Fund shall be suspended in the event of any termination of employment which has taken place since the 14th July, 1974.

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A.W. STEPHENS

*Chief Officer.*

*28th February, 1975.*

(107/10)

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ORDINANCE 2 OF 1975.

AN ORDINANCE

TO AMEND THE CUSTOMS AND EXCISE ORDINANCE, 1969.

JOHN AIKEN  
ADMINISTRATOR

10th March, 1975.

**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 Customs and Excise (Amendment) Ordinance, 1975 and shall be read as one with the Customs and Excise Ordinance, 1969 as amended by the Customs and Excise (Amendment) Ordinance, 1971 (hereinafter referred to as "the principal Ordinance").

Short title.

Ordinances  
12 of 1969,  
9 of 1971.

2. Section 2 of the principal Ordinance is hereby amended by the deletion in subsection (1) thereof of the definition of "Surveyor".

Section 2 of  
the principal  
Ordinance  
amended.

3. The principal Ordinance is hereby amended by repealing section 59 thereof and substituting therefor the following new section:—

Section 59 of  
the principal  
Ordinance  
repealed and  
replaced.

"Customs  
control of  
persons  
entering or  
leaving the  
Areas and  
reliefs from  
customs  
duty.

59.—(1) Any person entering the Areas shall, at such place and time and in such manner as the Fiscal Officer may direct, declare any thing contained in his baggage or carried with him which—

- (a) he has obtained outside the Island of Cyprus, or
- (b) being dutiable goods, he has obtained without payment of duty or in respect of which duty has been refunded,

and in respect of which he is not entitled to exemption from payment of duty by virtue of any Order under this section :

Provided that, by application of any person entering the Areas, the declaration is made, at a private place as directed by the Fiscal Officer.

(2) Any person entering or leaving the Areas shall answer such questions as the proper officer may put to him with respect to his baggage and any thing contained therein or carried with him, and shall, if required by the proper officer, produce that baggage and any such thing for examination at such place and time and in such manner as the Fiscal Officer may direct :

Provided that, by application of any person entering or leaving the Areas, the examination is made at a private place as directed by the Fiscal Officer.

(3) Any person failing to declare any thing or to produce for examination any baggage or other thing as required by this section shall be guilty of an offence and shall be liable to a penalty not exceeding three times the value of the thing not declared or of the baggage or thing not produced, as the case may be, or one hundred pounds, whichever is the greater; and any article chargeable with any duty or tax which is found concealed or is not declared, and any article which is being taken into or out of the Areas contrary to any prohibition or restriction for the time being in force with respect thereto, under or by virtue of any enactment, shall be liable to forfeiture.

(4) The Administrator may, by Order to be published in the *Gazette*, make provision for conferring on persons entering the Areas reliefs from customs duty; any such relief may take the form either of an exemption from payment of duty or of a provision whereby the sum payable by way of duty shall be less than it otherwise would be.

(5) Without prejudice to subsection (4), the Administrator may, by Order to be published in the *Gazette*, make provision whereby, in such cases and to such an extent as may be specified in the Order, a sum calculated at a rate specified in the Order is treated as the aggregate amount payable by way of customs duty in respect of goods imported by a person entering the Areas; but any Order making such provision as aforesaid shall enable the person concerned to elect that customs duty shall be charged on the goods in question at the rates which would be applicable apart from that provision.

(6) Any Order under this section may—

(a) make any relief for which it provides subject to conditions, including conditions which are to be complied with after the importation of the goods to which the relief applies ;

- (b) contain such incidental and supplementary provisions as the Administrator may consider necessary or expedient, including provisions for the forfeiture of goods in case of non-compliance with any conditions subject to which they have been relieved from duty ;
- (c) make different provision for different cases or circumstances or for different classes of cases or of circumstances or of persons.

(7) Nothing in any Order under this section shall be construed as authorising any person to import any thing in contravention of any prohibition or restriction for the time being in force in respect of such article by virtue of any enactment”.

4. Section 91 of the principal Ordinance is hereby amended by deleting in paragraph (a) of subsection (2) thereof the semi-colon at the end of the said paragraph and by substituting therefor a comma and by adding thereto the words “unless so authorised by the Fiscal Officer in writing and under such terms and restrictions as may be specified in such authorisation ;”.

Section 91 of  
the principal  
Ordinance  
amended.

5. Section 187 of the principal Ordinance is hereby amended as follows :—

Section 187 of  
the principal  
Ordinance  
amended.

(a) by substituting for the marginal note thereof the following marginal note :

“Authorized  
agents and  
production  
of authority.”

(b) by adding, at the end thereof, the following new subsections :

“(3) No person shall act as an agent on behalf of an importer or exporter as provided for in subsection (2) unless :—

- (a) he is a person exclusively in the full-time employment of the importer or exporter concerned and is employed by such importer or exporter, on at least a monthly basis and is duly authorised by the employer in writing, in such form as the Fiscal Officer may direct, to act on his behalf ;
- (b) he is a customs agent or an assistant customs agent duly licensed in the manner prescribed by regulations made under this section.

(4) The Administrator may make regulations prescribing :

- (a) the licensing and registration of customs agents and assistant customs agents, and the procedure regarding the submission of applications, granting of licences and any matter connected therewith ;

- (b) the terms and restrictions under which licences may be granted ;
- (c) the qualifications, powers, duties and conduct of customs agents and assistant customs agents ;
- (d) the obligations and liability of customs agents and assistant customs agents, and of importers and exporters ;
- (e) the cancellation or suspension of the validity of any licence, the deprivation of the right to act as customs agent or assistant customs agent and the disciplinary control of customs agents and assistant customs agents generally ;
- (f) the fees to be paid for any licence, application or other document ;
- (g) the exemption from the provisions of any regulations made under this section of any persons or classes of persons ;
- (h) anything which is considered necessary or expedient for the better carrying out of the purpose of this section or for regulating any matter connected with the provisions thereof.

(5) Any person who acts in contravention of the provisions of this section or of any regulations made thereunder or omits to do any act or thing specified or prescribed thereby shall be guilty of an offence and shall be liable, in addition to any other penalty to which he may be liable under this or any other enactment, to a fine not exceeding one hundred pounds; and in the case of a customs agent or assistant customs agent, the Fiscal Officer may, at his discretion, cancel or suspend the validity of his licence.”.

6. The principal Ordinance is hereby amended by the insertion, after section 192 thereof, of the following new section to be numbered 192A :—

New section  
192A inserted  
in the principal  
Ordinance.

“General  
penalty.

192A. Any person who contravenes any of the provisions of this Ordinance for which no penalty is specially provided, or for which the only penalty provided is forfeiture, shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding two hundred pounds or to both such imprisonment and fine.”.

E. J. PAWSEY

Acting Chief Officer.

10th March, 1975.



