



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 536 of 6th September, 1979.
LEGISLATION

ORDINANCE 9 OF 1979.

AN ORDINANCE

TO AMEND THE AKROTIRI VILLAGE
(SPECIAL PROVISIONS) ORDINANCE, 1966.

W. R. TAYLOR,
ADMINISTRATOR

5th September, 1979.

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 Akrotiri Village (Special Provisions) (Amendment) Ordinance, 1979 and shall be read as one with the Akrotiri Village (Special Provisions) Ordinance, 1966 (hereinafter referred to as “the principal Ordinance”).

Short title.

Ordinance
3/66.

2. Section 4 of the principal is hereby amended :—

Section 4 of the
principal
Ordinance
amended.

(a) by inserting immediately after subsection (4) thereof the following new proviso —

“Provided that no person may be a member if within a period of ten years preceding the election, he has been, or having been elected he is, convicted in any country of an offence involving dishonesty or moral turpitude and sentenced to a term of imprisonment exceeding one year.”;

(b) by inserting immediately after subsection (5) thereof the following new subsection, to be numbered (5A) —

“(5A) If any elected member shall wilfully and unjustifiably fail to attend at three consecutive meetings of the Committee, he shall thereupon become disqualified to sit as member of the

Committee and the Chairman shall declare his place upon the Committee to be vacated :

Provided that any person, aggrieved by any such decision of the Chairman, may appeal to the Administrator whose decision shall be final and conclusive.” ;

- (c) by deleting subsection (7) thereof and re-numbering subsection (8) as subsection (7) ;
- (d) by inserting immediately after subsection (7) thereof the following new subsections, to be numbered (8), (9), (10) and (11), respectively —

“(8) If at the expiration of the term of office of the elected members of the Committee the qualified voters have failed to attend a public meeting for the purpose of electing new members, the Administrator, acting in consultation with the appropriate authorities of the Republic, may by notice in the Gazette appoint a Special Authority, being one or more persons specified by name or office for such time as he may specify or until further notice to administer the specified property and such Authority shall have all the powers and duties of the Committee constituted under subsection (1) of Section 4 of the Ordinance.

(9) If, in the opinion of the Administrator, the elected members of the Committee refuse or neglect to perform any of the functions required of them under the provisions of this Ordinance the Administrator may in like manner appoint a Special Authority as described in subsection (8) of this Section who shall have such powers and duties normally exercisable by the Committee under the provisions of this Ordinance, and prescribed in such notice, and during the operation of such notice any purported exercise of any such power or duty by the Committee or any member thereof shall be null and void.

(10) A certificate under the hand of the Administrator that the qualified voters have failed to attend a public meeting in the circumstances described in subsection (8) of this Section or the opinion of the Administrator referred to in subsection (9) of this Section shall be irrefutable and shall not be called in question in any Court.

(11) If the Administrator appoints more than one person as the Special Authority under the provisions of subsection (9) of this Section, he may make regulations under the provisions of this subsection providing for the procedure of such authority, including the rules which will apply in the event of disagreement between any of such persons on any matter in relation to which the Authority exercises any power or performs any duty.”.

3. The principal Ordinance is hereby amended by inserting immediately after Section 4 the following new Sections to be numbered Sections 4A, 4B, 4C, 4D, 4E, 4F and 4G respectively :—

New Sections
4A to 4G
inclusive
added to the
principal
Ordinance.

“Meetings of
Committee.

4A.—(1) The Chairman of the Committee may, whenever he thinks fit, and shall on a requisition in writing by not less than two members thereof, convene a meeting of the Committee :

Provided that the meeting, in case of requisition, shall be held not later than fourteen days from the date of receipt of such requisition and on a prior seven days' notice.

(2) The meetings of the Committee shall be held at such time and place as the Chairman may from time to time appoint.

(3) Save as in this Ordinance otherwise provided, no business shall be transacted at any meeting of the Committee unless five members, at least, are present. If, on the second successive summons, five members are not present at the time and place appointed for the meeting, the Committee may proceed with business if four members only are present.

(4) All questions coming before the Committee at any meeting shall always be decided by a majority of the members present and, in case of an equality of votes, the Chairman of the meeting shall have a second or casting vote in addition to his own vote.

Appointment
of Secretary/
Treasurer.

4B. The Committee shall appoint a member of the Committee, who shall be approved by the Area Officer, to be the Secretary / Treasurer of the Committee, who shall be responsible for producing the minutes of the proceedings and for supervising the books and the preparation of the accounts.

Employees
of the
Committee.

4C. The Committee may, subject to the approval of the Area Officer, appoint such employees as may be required in connection with the management of the specified property :

Provided that the services of any such employee shall not be terminated without the approval of the Area Officer.

Annual
Estimates.

4D. The Committee shall on or before the 1st day of November in every year submit to the Area Officer for his approval, estimates of revenue and expenditure for the year beginning on the 1st day of January next following. All expenditure shall be related to the purposes set out in the Ordinance.

Minutes
of the
Committee.

4E. Minutes of the proceedings of every meeting of the Committee shall be drawn up correctly and entered in a book kept for that purpose by the Secretary / Treasurer and shall be

signed by the Chairman, and when so signed, shall be received in evidence in all proceedings without further proof. Copies of such minutes shall be distributed to all members of the Committee.

Executing
decisions
of the
Committee.

4F. It shall be the duty of the Chairman to see that every decision of the Committee is duly executed and, where such decision necessitates the expenditure of funds, to see that such expenditure is always incurred in accordance with the provisions made in the approved estimates for the year to which such expenditure refers :

Provided that it shall be lawful for the Committee subject to the approval of the Area Officer to incur expenditure which is not contrary to the provisions of subsection (3) of Section 7 of this Ordinance not included in the estimates if there is a proper resolution to this effect and recorded in the Minutes.

Accounts
and audits.

4G.—(1) The Committee shall cause proper books and accounts of all its payments and receipts to be kept and prepared by the Secretary / Treasurer. Such accounts shall be audited annually or at such time as the Committee may from time to time require and by such auditor as the Committee may from time to time appoint with the approval of the Area Officer, and the Secretary / Treasurer of the Committee or any member thereof shall be bound to produce to such auditor all the books and accounts of the Committee for this purpose.

(2) There shall be paid by the Committee such audit fees as the Committee may from time to time decide.

(3) The report of the auditor appointed to audit the accounts under subsection (1) of this section, shall be forwarded to the Committee and copies thereof shall be posted at a conspicuous place in the village of Akrotiri for the information of the public.

(4) The Committee shall direct the place in which the Secretary / Treasurer shall deposit the moneys received on behalf of the Committee :

Provided that the place where the moneys shall be deposited is a licensed Banking Institution approved by the Area Officer.”

Section 7
of the principal
Ordinance
repealed and
replaced.

5. The principal Ordinance is hereby amended by repealing Section 7 thereof and substituting therefor the following new Section :—

“Committee
to control and
administer
specified
property.

7.—(1) Subject to the provisions of this Ordinance, the Committee shall have power to hold, administer, control and, subject to the provisions of subsection (2) of this Section, dispose of the specified property on behalf of the communal owners.

(2) The Committee shall not dispose of any part of the specified property except in compliance with an order of acquisition or requisition for a public purpose made under the provisions of any law or except with the consent in writing of the Administrator.

(3) The Committee shall not terminate, substitute or in any way change the use of the specified property for which it was held and enjoyed on the appointed day without the consent in writing of the Administrator.

(4) Any proceeds or revenue accruing to the Committee which in any way arise out of or are connected with the disposition or management of the specified property shall be used solely for works of public utility in Akrotiri village or for such other purposes as the Administrator may decide following a recommendation of the Committee.”.

6. The principal Ordinance is hereby amended by inserting immediately after Section 15 thereof the following new Section to be numbered 16 :—

New Section 16 added to the principal Ordinance.

“Section 19 of the Immovable Property (Tenure, Registration and Valuation) Ordinance, Cap. 224 and Law 3 of 1960 (Laws of Cyprus), Ordinance 12/66 not to apply to the specified property.

16. Section 19 of the Immovable Property (Tenure, Registration and Valuation) Ordinance shall not apply to the specified property.”.

7. The Akrotiri Village (Special Provisions) (Amendment) Ordinance, 1979 is hereby repealed without prejudice to anything done or left undone thereunder.

Repeal. Ordinance 3/79.

5th September, 1979.

P. G. ADAMS,
Chief Officer.

(131/4)

