



SUPPLEMENT No. 2
T O
THE SOVEREIGN BASE AREAS GAZETTE
No. 774 of 7th May, 1987.
L E G I S L A T I O N

ORDINANCE 8 OF 1987.

AN ORDINANCE

TO AMEND THE BANKRUPTCY ORDINANCE.

K. W. HAYR,
ADMINISTRATOR

10th April, 1987.

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 Bankruptcy (Amendment) Ordinance, 1987 and shall be read as one with the Bankruptcy Ordinance as amended by the Bankruptcy (Amendment) Ordinance 1985 (hereinafter referred to as “the principal Ordinance”).

Short title.
Cap. 5 (Laws of Cyprus) and Ordinance 9 of 1985.

2. The principal Ordinance is hereby amended by repealing Section 8 thereof and substituting therefor the following new Section:—

Section 8 of the principal Ordinance repealed and replaced.

“Debtor’s petition.”

8.—(1) A debtor shall not present a bankruptcy petition unless:

- (a) the aggregate amount of his debts exceeds the sum of £5,000.—; and
- (b) the debts are not liquidated sums and are related to certain sums payable either immediately or at some certain future time.

(2) A debtor’s petition shall be accompanied by an affidavit to which a catalogue of the creditors with their addresses, the amounts owed to each one of them and the date on which each debt was created shall be attached together with a full statement of his property.

(3) The petition shall be served upon all creditors referred to in the catalogue attached to the affidavit.

(4) At the hearing of the petition the Court shall have absolute discretion to issue a receiving order or dismiss the petition.

(5) A debtor's petition shall not, after presentment, be withdrawn without the leave of the Court.

Section 16 of
the principal
Ordinance
amended.

3. Section 16 of the principal Ordinance is hereby amended by inserting immediately after subsection (10) thereof the following new subsection to be numbered (11):—

“(11) On the application of the Official Receiver the Court may order, that under the circumstances of the case, a public examination shall not be carried out if no useful purpose will be served. In such a case the Official Receiver shall attach to the petition a statement of the debtor in relation to his affairs and property together with any other documents for the information of the creditors or any other interested persons. The Court, if it thinks fit, may order that the debtor or creditors, or any of them shall be present at the hearing of the application.”.

Section 28 of
the principal
Ordinance
amended.

4. Section 28 of the principal Ordinance is hereby amended:—

- (a) by deleting the word “two” appearing in the fourth line thereof and substituting therefor the word “four”; and
- (b) by inserting immediately after the words “public examination” appearing in the fifth line thereof the words “or the date of the Order of the Court dispensing with the public examination as provided in subsection (1) of Section 16 of this Ordinance.”.

Section 38 of
the principal
Ordinance
amended.

5. Section 38 of the principal Ordinance is hereby amended by deleting subsection (1) thereof and substituting therefor the following new subsection:—

“(1) In the distribution of the property of a bankrupt there shall be paid in priority to all other debts but after payment of the preliminary expenses in Section 36 herein before mentioned—

- (a) all taxes and duties or village rates payable under any legislation of the Sovereign Base Areas or the Republic due from the bankrupt at the date of the receiving order and having first become due and payable within twelve months next before that time;
- (b) any amount of earnings of an employed person in respect of his employment by the bankrupt during the eighteen weeks immediately before the issue of the receiving order, but in no case shall such amount of earnings exceed the product of eighteen multiplied by twice the basic insurable earnings payable from time to time to the employed person;
- (c) any amount of compensation which the bankrupt shall be obliged to pay to the employed person due to bodily injury sustained as a result of an accident arising out of his employment and during his employment by the bankrupt;

- (d) any amount due to the employed person from leave derived from his employment by the bankrupt for a period of employment not exceeding one year ;
- (e) all rent accrued due to the landlord during the four months next preceding the date of the receiving order ;
and
- (f) for the purposes of paragraphs (b), (c) and (d) of this subsection the expressions "earnings" "employed person" and "basic insurable earnings" shall have the meanings assigned to them by the Social Insurance (Facilitation of Republican Social Insurance Scheme) Ordinance 1980."

Ordinances
16/80, 5/83,
1/84, 5/85
and 17/85.

10th April, 1987.

(131/7/2)

D.K.A. REYNOLDS,

Chief Officer.

AN ORDINANCE

**TO AMEND THE FORESHORE PROTECTION
ORDINANCE, 1975.**

**K. W. HAYR,
ADMINISTRATOR**

10th April, 1987.

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

Short title.

1. This Ordinance may be cited as the Foreshore Protection (Amendment) Ordinance, 1987 and shall be read as one with the Foreshore Protection Ordinance 1975 (hereinafter referred to as “the principal Ordinance”).

Ordinance 9 of 1975.

Section 6 of the principal Ordinance amended.

2. Section 6 of the principal Ordinance is hereby amended by deleting paragraph (c) thereof and substituting therefor the following new paragraph :—

“(c) Without prejudice to the rights of free movement on and free access to the foreshore, shall place or suffer or allow any other person to place on the foreshore any tables, chairs, mattresses, umbrellas, sea sporting equipment or other objects used for beach recreation for hire or otherwise for profit without a permit from the Area Officer, and solely at such place and under such conditions including the fixing of maximum prices for the services offered by the holder of the permit, as the Area Officer may prescribe.”.

Section 9 of the principal Ordinance repealed and replaced.

3. The principal Ordinance is hereby amended by repealing Section 9 thereof and substituting therefor the following new Section :—

“Power to the Administrator to prescribe form of, terms and conditions, fees, etc., permits.

9.—(1) The Administrator may by order to be published in the Gazette, prescribe the procedure for the granting of, and the form of any permit to be issued under this Ordinance or the restrictions or terms and conditions applicable thereto, the fees to be levied and the manner of assessment thereof, either in respect of the Areas as a whole or such parts thereof as may be determined.

(2) Any permit issued under the provisions of this Ordinance shall be valid for one year immediately following the date of issue, unless it is revoked or annulled under the provisions of this Ordinance within such year.”.

D.K.A. REYNOLDS,

Chief Officer.

10th April, 1987.

(157/4B)

AN ORDINANCE

TO AMEND THE COMPANIES ORDINANCE.

K. W. HAYR,
ADMINISTRATOR

10th April, 1987.

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

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| <p>1. This Ordinance may be cited as the Companies (Amendment) Ordinance, 1987 and shall be read as one with the Companies Ordinance as amended by the Companies (Amendment) Ordinance, 1968 (hereinafter referred to as "the principal Ordinance").</p> | <p>Short title.
Cap. 113 (Laws of Cyprus) and Ordinance 11 of 1968.</p> |
| <p>2. Section 5 of the principal Ordinance is hereby amended by deleting the words and comma "bear the stamp specified in the First Schedule to the Stamp Ordinance 1964, and must" appearing in the first and second lines thereof.</p> | <p>Section 5 of the principal Ordinance amended.</p> |
| <p>3. Section 11 of the principal Ordinance is hereby amended by deleting paragraph (c) thereof.</p> | <p>Section 11 of the principal Ordinance amended.</p> |
| <p>4. Section 62 of the principal Ordinance is hereby amended by deleting the words "bearing the same stamp as if it were an agreement", appearing in the sixth and seventh lines thereof.</p> | <p>Section 62 of the principal Ordinance amended.</p> |
| <p>5. Section 108 of the principal Ordinance is hereby amended :—</p> | <p>Section 108 of the principal Ordinance amended.</p> |
| <p>(a) by deleting the words "fifty mils" appearing in the eighth line of subsection (1) thereof and substituting therefor the words "twenty cents"; and</p> | |
| <p>(b) by deleting the words "twenty five mils" appearing in the third line of subsection (2) thereof and substituting therefor the words "five cents".</p> | |
| <p>6. Section 140 of the principal Ordinance is hereby amended by deleting the words "four and a half piastres" appearing in the fourth line of subsection (2) thereof and substituting therefor the words "five cents".</p> | <p>Section 140 of the principal Ordinance amended.</p> |
| <p>7. Section 158 of the principal Ordinance is hereby amended by deleting the words "to an amount not exceeding hundred pounds" appearing in the fifth and sixth lines of subsection (2) thereof and substituting therefor the words "to such an amount as the Administrator may prescribe".</p> | <p>Section 158 of the principal Ordinance amended.</p> |
| <p>8. Section 212 of the principal Ordinance is hereby amended by deleting the words "fifty pounds" appearing in the third line of paragraph (a) thereof and substituting therefor the words "five hundred pounds".</p> | <p>Section 212 of the principal Ordinance amended.</p> |
| <p>9. Section 300 of the principal Ordinance is hereby amended :—</p> | <p>Section 300 of the principal Ordinance amended.</p> |
| <p>(a) by deleting paragraphs (b), (c) and (d) of subsection (1) thereof and substituting therefor the following new paragraphs :—</p> | |

- “(b) any amount of earnings of an employed person, with the exception of the earnings of a person employed by a private company where such employed person is a shareholder, in respect of his employment by the company during the period of eighteen months immediately prior to the relevant date, but in no case such amount shall exceed the product of eighteen multiplied by twice the basic insurable earnings payable from time to time ;
- (c) any amount of compensation which the company shall pay to an employed person due to bodily injury sustained due to an accident arising out of his employment and during such employment of the employed person by the company.

The provisions of this paragraph shall not apply where a person employed by a private company is a shareholder of such company, unless such company is being wound up voluntarily or for the purposes of re-construction, or amalgamation with another company ;

- (d) any amount due to an employed person with the exception of any amount due to a person employed by such company who is a shareholder, as a holiday entitlement due to his employment with such company for a period not exceeding one year.”
- (b) by deleting subsections (2) and (3) thereof ;
- (c) by deleting paragraphs (a) and (b) of subsection (8) thereof and substituting therefor the following new paragraph :—

“(a) The expressions “earnings”, “employed person” and “basic insurable earnings” shall have the meanings assigned to them by the Social Insurance (Facilitation of Republican Social Insurance Scheme) Ordinance, 1980.

Ordinances
16/1980, 5/83,
1/84, 5/85
and 17/85.

Section 327
of the principal
Ordinance
amended.

10. Section 327 of the principal Ordinance is hereby amended by adding immediately after subsection (5) thereof the following new subsection to be numbered (5A) :—

“(5A) Any company which fails to register with the Registrar any document required to be registered under the provisions of this Ordinance, may be struck off the Register of Companies by the Registrar, but such striking off shall not take effect after the expiration of six months from the date of the letter from the Registrar in which such document was required, and such striking off shall be published in the Gazette.”

Section 364
of the principal
Ordinance
repealed
and replaced.

11. The principal Ordinance is hereby amended by repealing Section 364 thereof and substituting therefor the following new Section :—

“Fees and charges
payable to the
Registrar
shall be paid to
Establishment
Officer.

364. All fees and duties payable to the Registrar shall be paid to the Establishment Officer.

12. Section 365 of the principal Ordinance is hereby amended :—

Section 365
of the principal
Ordinance
amended.

- (a) by deleting the words "not exceeding fifty mils for each inspection" appearing in the third and fourth lines of paragraph (a) of subsection (1) thereof; and
- (b) by deleting the words "not exceeding two hundred and fifty mils for a certificate of incorporation and not exceeding twenty five mils for each folio of seventy two words of a certified copy or extract" appearing in the seventh, eighth, ninth and tenth lines thereof.

13. Section 387 of the principal Ordinance is hereby amended :—

Section 387
of the principal
Ordinance
amended.

- (a) by deleting the full stop at the end of paragraph (c) of subsection (1) thereof and substituting therefor a semi colon;
- (b) by inserting at the end of paragraph (c) of subsection (1) thereof the word "and"; and
- (c) by inserting immediately after paragraph (c) thereof the following new paragraph to be lettered (d) :—

"(d) prescribing the fees and duties which shall be payable under the provisions of, or in relation to any provision of this Ordinance or any other Ordinance by companies or in relation to such companies and providing that such payments of fees and duties shall be made either in cash or by stamps or portion of such fees and duties in cash and portion in stamps as the Registrar may from time to time prescribe.

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

"(a) Alter Table A and the form of the Twelfth Schedule;".

14. The principal Ordinance is hereby amended by repealing the Eleventh Schedule thereof.

Eleventh
Schedule
to the principal
Ordinance
repealed.

D.K.A. REYNOLDS,

Chief Officer.

10th April, 1987.

(105/6)
