



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 1154 of 26th June 1999
LEGISLATION

ORDINANCE 12 OF 1999

AN ORDINANCE

TO AMEND THE FORESHORE PROTECTION ORDINANCE

A. I. RAMSAY
ADMINISTRATOR

26th June 1999.

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 Foreshore Protection (Amendment) Ordinance 1999 and shall be read as one with the Foreshore Protection Ordinance 1975 as amended (hereinafter referred to as “the principal Ordinance”).

Short title.

Ordinances 9/75 and 9/87.

2. Section 2 of the principal Ordinance is hereby amended as follows:

Section 2 of the principal Ordinance amended.

(a) by inserting in the appropriate alphabetical order the following new definitions:

“boat” means any motorised or sailing vessel, and includes any catamaran, surf-board, water bicycle, jet ski, canoe and any other floating craft, as well as any object which may be towed by the above;

“building” has the meaning assigned to it by section 2 of the Protection of the Environment Ordinance;

Ordinance 9/98.

“development” has the meaning assigned to it by section 2 of the Protection of the Environment Ordinance;

Ordinance 9/98.

(b) by deleting the definition of the word “foreshore” thereof and substituting therefor the following:

“foreshore” includes any land within a distance from high water mark not exceeding ninety metres as the Chief Officer may, by a notice to be published in the Gazette, prescribe.

3. The principal Ordinance is hereby amended by adding immediately after subsection (6) of section 3 thereof the following new subsection to be numbered (7):

Section 3 of the principal Ordinance amended.

“(7) The provisions of paragraph (c) of subsection (1) of this section shall not apply to any boat placed on the foreshore with the permission of the Area Officer.”

Section 6 of the principal Ordinance amended.

4. Section 6 of the principal Ordinance is hereby amended by inserting immediately after subsection (1) thereof the following new subsection (2) and by renumbering the existing subsection (2) as subsection (3):

“(2) Where a building or other structure is erected or placed on the foreshore or any development is carried out thereon in contravention of subsection (1) of this section, without prejudice to any other measures which might be taken against the offender, the Area Officer may carry out or order the carrying out of the demolition or dismantling and removal of any such building, structure or development and the reinstatement of the foreshore to its former state:

Provided that the provisions of section 4 of this Ordinance shall apply mutatis mutandis in respect of any action taken by the Area Officer under this subsection.”

5. The principal Ordinance is hereby amended by inserting immediately after section 6 thereof the following new section to be numbered 6A:

New section inserted to the principal Ordinance.

“Power to prescribe areas where erection of buildings or the carrying out of development is prohibited.

6A. - (1) For the purpose of protecting or preserving the character and amenities of any foreshore, or its use and free access to it by the public, the Administrator may, by notice to be published in the Gazette, prescribe any part of the foreshore and any place abutting on the foreshore within which no buildings or structures of any kind shall be erected and no development of any type shall be carried out.

(2) Notwithstanding any provision in the Streets and Buildings Regulation (Consolidation) Ordinance or the Protection of the Environment Ordinance, no permit shall be issued by the Area Officer for the erection of any building or other structure or for the carrying out of any development within the part of the foreshore or any other place abutting on the foreshore prescribed by the notice from the date of its publication and thereafter:

Provided that where, in exceptional cases, the Administrator is satisfied that the interests of the public and military requirements justify the issue of a permit for the erection of a building or other structure or for the carrying out of any type of development, he may at his absolute discretion authorise the Area Officer to issue such a permit under such terms and conditions as he may deem expedient notwithstanding the publication of the notice.”

26th June 1999
(157/4B)

G. BARLOW
Acting Chief Officer.