



**SUPPLEMENT No. 2**  
**TO**  
**THE SOVEREIGN BASE AREAS GAZETTE**  
**No. 1163 of 8th October 1999**  
**LEGISLATION**

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ORDINANCE 19 OF 1999

**AN ORDINANCE**  
**TO AMEND THE CUSTOMS AND EXCISE ORDINANCE**

***P. ROBINSON***  
**ACTING ADMINISTRATOR**

8th October 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 Customs and Excise (Amendment) Ordinance 1999 and shall be read as one with the Customs and Excise Ordinance as amended from time to time (hereinafter referred to as "the principal Ordinance").

Short title.

Ordinances 12/69,  
9/71, 2/75, 4/77,  
8/77, 20/87, 19/89  
and 9/91.

**2.** Section 129 of the principal Ordinance is hereby amended by deleting the words "one pound and five hundred mils" appearing in line two of subsection (2) thereof and substituting therefor the words "ten pounds".

Section 129 of the  
principal  
Ordinance  
amended.

*8th October 1999*  
(119/36)

D.J. BONNER,  
Chief Officer.

ORDINANCE 20 OF 1999

**AN ORDINANCE  
TO AMEND THE FOREST ORDINANCE**

**P. ROBINSON**  
**ACTING ADMINISTRATOR**

8th October 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 Forest (Amendment) Ordinance 1999 and shall be read as one with the Forest Ordinance as amended from time to time (hereinafter referred to as "the principal Ordinance").

**2.** Section 2 of the principal Ordinance is hereby amended by inserting immediately after the word "constructed" in line 3 of the definition of "forest building" the words "or acquired".

**3.** Section 23 of the principal Ordinance is hereby amended by inserting immediately after the word "land" in paragraph (h) of subsection (2) thereof the words "or forest building".

**4.** Section 24 of the principal Ordinance is hereby amended by relettering paragraph (u) thereof as (w) and inserting immediately after paragraph (t) thereof the following new paragraphs:

"(u) prohibiting or regulating any business or trade in any State Forest;

(v) prohibiting or regulating the placing of any tent, caravan or other temporary structure in any State Forest; and."

*8th October 1999*  
(106/11)

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D.J. BONNER,  
Chief Officer.  
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ORDINANCE 21 OF 1999

AN ORDINANCE

TO PROVIDE FOR THE PROTECTION OF MATERNITY

*P. ROBINSON*

8th October 1999.

ACTING 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 Protection of Maternity Ordinance 1999. Short title.

2. In this Ordinance, unless the context otherwise requires:- Interpretation.

“childbirth” means the birth of a live or dead child, following a period of at least twenty eight weeks gestation;

“employer” and “employed person” shall have the meaning assigned to such expressions by section 2 of the Social Insurance (Facilitation of Republican Social Insurance Scheme) Ordinance. Ordinances 16/80, 5/83, 1/84, 5/85, 17/85, 6/87, 24/87, 14/88, 4/90 and 1/93.

3. - (1) A female employed person who produces a certificate from a medical practitioner that she is expecting a childbirth during the week specified in such certificate shall be entitled to maternity leave. Maternity leave.

(2) Subject to the provisions of subsection (5) of this section a female employed person shall be entitled to a total of sixteen consecutive weeks of maternity leave, nine weeks of which must be taken in the period commencing on the first day of the second week preceding the week of expected childbirth.

(3) A female employed person who undertakes the care of a child under five years old for the purposes of adoption, shall immediately be entitled to a total of fourteen consecutive weeks of maternity leave providing she gives notice of her intention to adopt to the appropriate authority in the Republic at least six weeks before she assumes care of the child.

(4) If the childbirth does not occur within the expected week, the period of maternity leave prior to the childbirth shall be extended to the period between the week of expected childbirth and the week in which childbirth occurs without affecting the period of six weeks leave which must be taken after childbirth. If the childbirth occurs at any time before the expected week, the remaining maternity leave shall be granted after childbirth so as to amount to a total of sixteen weeks leave.

(5) The entitlement to maternity leave under this section shall not affect any more advantageous entitlements granted to a female employed person under a collective private agreement.

4. No employer shall give notice of termination of employment to a female employed person during the period commencing when she notifies her pregnancy by producing a certificate issued by a medical practitioner or gives notice that she intends to adopt and terminating three months after the last day of maternity leave, or give notice of termination of employment which is due to expire during the same period:

Provided that this section shall not apply in the following circumstances-

- (a) if the female employed person is guilty of serious misconduct which justifies dismissal;
- (b) if the business, professional practice or other commercial activity on which the employee is employed ceases to operate;
- (c) if the agreement of employment expires.

5. - (1) The female employed person in order to facilitate lactation and the care of her child shall be entitled every day for a period of six months after child-birth to-

- (a) suspension of work for one hour, or
- (b) permission to arrive at her place of work an hour after normal time of arrival, or
- (c) permission to leave her place of work one hour before the time of completion of work:

Provided that in the case of an adoption, the natural mother will lose her entitlement under this section from the date that the adoptive mother becomes entitled under the provisions of subsection (2) of section 3 above.

(2) The daily one hour provided in subsection (1) of this section shall be regarded and paid for as working time.

6. - (1) No pregnant female employed person shall be engaged in work prescribed by regulations made by the Administrator and published in the Gazette as dangerous for a pregnant woman. Such prohibition shall be valid for such period as prescribed by such regulations but shall not exceed the period of six months after the child-birth.

(2) A female employed person engaged in work prescribed by regulations as dangerous, shall be entitled, on production of a certificate of pregnancy by a medical practitioner, to be transferred

Termination of  
employment  
prohibited.

Facilitation of  
lactation and  
increased care of  
child.

Security at place  
of work.

to other work which is not dangerous without any reduction to her emoluments.

7. The maternity leave shall not affect the seniority of the female employed person or her right to promotion and her entitlement to return to the work which she was performing before the grant of maternity leave or to any other similar work which does not involve reduction of her emoluments.

Rights.

8. The Chief Officer may appoint any person as a Chief Inspector who shall be responsible for ensuring that the provisions of this Ordinance are observed, and may also appoint any number of persons as Inspectors to assist such Chief Inspector.

Appointments.

9. - (1) An employer who fails to comply with any of the provisions of sections 3, 4, 5, 6 or 7 of this Ordinance shall be guilty of an offence.

Offences.

(2) Any person who commits an offence under the provisions of subsection (1) of this section shall, on conviction, be liable to a fine not exceeding one thousand pounds.

10. Subject to the provisions of section 11 and with the exception of section 9, this Ordinance shall bind the Crown.

Ordinance shall bind the Crown in any capacity.

11. - (1) This Ordinance shall not apply to-

This Ordinance shall not apply to certain servants of the Crown and authorised service organisations.

- (a) members of the Naval, Military and Air Forces of the Crown and to the Crown as the employer of such persons;
- (b) persons employed or paid by the Crown in right of the Government of the United Kingdom (other than persons employed on locally engaged terms) or to the Crown in any capacity as the employer of such persons; or
- (c) persons employed by an Authorised Service Organisation as defined in the Treaty of Establishment (otherwise than on locally engaged terms) or to an Authorised Service Organisation as the employer of such persons.

(2) In addition to those persons and their employers specified in subsection (1) of this section the Administrator may by Order in the Gazette, declare that this Ordinance shall not apply to any other persons or their employers, (not in either case being Cypriots or persons domiciled in the Areas or the Republic).

12. The Protection of Maternity Ordinances are hereby repealed.

Repeals.  
Ordinances 19/87,  
16/88 and 3/95.

8th October 1999

(195/9)

D.J. BONNER,

Chief Officer.





