SUPPLEMENT No.2
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 1241 of 19th March 2002
LEGISLATION

ORDINANCE 4 OF 2002

AN ORDINANCE
TO AMEND THE ADVOCATES ORDINANCE 1962

T.W. RIMMER
ADMINISTRATOR

11th March 2002.

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 Advocates (Amendment) Ordinance 2002.

2. The principal Ordinance is hereby amended by deleting the definition of “Qualified Person” in section 2 thereof and substituting therefor the following new definition –

““Qualified Person” means a person qualified to practise as a barrister-at-law, advocate or solicitor, admitted to practise in the United Kingdom, or in an equivalent professional capacity in a Court in a part of Her Majesty’s Dominions or in the Republic of Ireland;”.

11th March 2002

D.J. BONNER,
Chief Officer.
ORDINANCE 5 OF 2002

AN ORDINANCE
TO PROVIDE FOR THE HEALTH OF ANIMALS

T.W. RIMMER
ADMINISTRATOR

11th March 2002.

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 Animal Health Ordinance 2002.

2. In this Ordinance, unless the context otherwise requires -
   “animal disease” means any health disorder of animals caused by contaminating, parasitic or other factors;
   “animals” means all mammalian animals, birds, reptiles, productive insects, fish, crustaceans and molluscs;
   “animal wastes” means any dead animals, carcasses or parts of animals and any residues from the processing of food from animal origin which are not intended for human consumption including dung and urine;
   “businessman” means the owner of an undertaking and includes any person in charge of an undertaking;
   “designated veterinarian” means a veterinarian in private practice who has been assigned in writing by the Chief Officer to conduct specific veterinary checks and who while exercising such specific veterinary checks shall be considered for the purposes of this Ordinance as an official veterinarian;
   “notifiable disease” means an animal disease which is prescribed as such in accordance with section 8(c)(iv);
   “official veterinarian” means any veterinarian appointed by the Chief Officer to be an official veterinarian;
   “official veterinary laboratory” means any laboratory authorised by the Chief Officer to carry out laboratory examinations for the purposes of –
(a) diagnosing animal diseases;
(b) diagnosing zoonosis;
(c) investigating the epizootiological condition of the Areas;
(d) checking the qualitative and hygienic condition of genetic material (semen, ova, embryos),

and includes any laboratory authorised or recognised by the Chief Officer for the production of vaccines and biological products and any laboratory in a foreign country which may be included in a notification under section 8(c)(vii);

“premises” means any premises or other place where animals are kept, bred or transported and includes any means of transport of animals, animal products, or animal wastes;

“products” or “animal products” means all products which consist entirely or partly of tissues deriving from animals in any form, processed or unprocessed and includes hay and straw;

“undertaking” means any undertaking at the premises of which animal products or animal wastes are produced, processed, destroyed, stored or from which such products or wastes are placed on the market;

“veterinarian” means (except in the expression “veterinarian check”) any practitioner as defined by section 2 of the Veterinary Surgeons Ordinance;

“veterinarian check” means any physical check or procedure or any administrative act relating to animals or animal products, whether edible or non-edible, which aims directly or indirectly to ensure the protection of animal health and public health;

“veterinary inspector” means any person authorised or recognised by the Chief Officer to make inspections under the supervision of an official veterinarian and to assist such official veterinarian in the exercise of his powers and the execution of his decisions;

“zoonosis” means any animal disease which may also infect humans.

3. This Ordinance provides for the general framework of the responsibilities, powers, activities and duties of the Chief Officer with the aim of securing the health of animals and the protection of public health from zoonosis.

4. – (1) The Chief Officer shall have the power and responsibility to provide for-

(a) the elimination from the animal population of the Areas of animal diseases, by making and applying specific programmes;

(b) the exercise of preventive veterinary medicine regarding matters of animal health by making and executing specific plans in order to deal with –

(i) notifiable or non-notifiable animal diseases; and

(ii) the impact of toxic or radioactive substances on animals;
(c) the epidemiological investigation of the animal population, for the purpose of ascertaining the presence or absence of any contagious, parasitic or other animal disease;

(d) the putting into effect of means of artificial reproduction and controlling the co-ordination of oestrus and transplantation of embryos in animals, for the purpose of securing animal health;

(e) the control of undertakings which deal with the production or movement of genetic material of animals (semen, embryos, ova), in accordance with the provisions of this Ordinance and of regulations and orders made under it;

(f) the control of the departure or exportation from, and the transport within the Areas of humans, animals, animal products, animal wastes or of any other articles capable of transmitting an animal disease, for the purpose of preventing the spread of animal diseases and the movement and placement on the market of animal products which are a threat to the health of animals or the public;

(g) the prohibition or regulation of the importation and unloading from a ship or aircraft of live animals, dead animals, animal products, by-products and preparations from biological products related to the health of animals, animal feeding stuffs of animal and vegetable origin, animal litter, dung and any other articles which may transmit an animal disease and generally for the application of any measures for the prevention in any way of the introduction into and the spread within the Areas of any disease which affects animals;

(h) the control of hygienic living conditions and feeding of animals;

(i) the provision of the requisite scientific assistance or veterinarian clinical assistance in respect of animals, in accordance with the Chief Officer's specific programmes and plans for securing the health of animals;

(j) the declaration of premises as contaminated, affected with or free of notifiable or non-notifiable animal diseases;

(k) the control of premises or undertakings where procedures are carried out for the killing of animals, the destruction, burial, disposal, handling or processing of dead animals, carcasses, animal products or by-products, animal wastes and for utilising the residues from slaughterhouses, by-products from slaughterhouses and other non-edible animal parts, fodder, animal litter, dung and any other articles and things which may transmit an animal disease;

(l) the payment of compensation to owners of animals, animal products or articles which are seized and destroyed, or otherwise disposed of in the course of applying programs of controlling or combating animal diseases as provided for in paragraphs (a) and (b) or due to any other action or activity of the Chief Officer, which could cause the death of animals;
(m) the registration of undertakings, the marking and registration of animals and of their movements in registers or data bases;

(n) the enforcement of compliance with conditions attaching to permits issued to undertakings;

(o) the issue of certificates relating to matters within his competence, where this is provided for;

(p) the fulfilment of any international obligations of the Areas in veterinary matters.

(2) More specific responsibilities, powers, activities and duties which contribute to the fulfilment of the aims of this Ordinance may be assigned to the Chief Officer under regulations or orders made under this Ordinance.

5. — (1) The Chief Officer may charge such fees for the activities provided for in section 4(1) and exercised by him as are prescribed in regulations made under this Ordinance.

(2) Such fees and fees for objections shall be prescribed as provided for in sections 8 and 14.

6. — (1) A veterinarian who confirms or suspects the existence of any notifiable disease shall forthwith, by using the fastest means of communication available to him, inform the Chief Officer, the appropriate Area Officer or the nearest Police Station of such confirmation or suspicion.

(2) A failure to comply with the provisions of subsection (1) above shall constitute an offence in contravention of the provisions of this Ordinance and such failure shall be considered to be a special circumstance for the purposes of section 11 of the Veterinary Surgeons Ordinance (suspension of practitioner from practice in the Areas).

(3) A businessman or other person who keeps, takes care of or possesses animals shall notify without delay the Chief Officer, the appropriate Area Officer or the nearest police station, of any increase in the rate of mortality or disease of his animals.

7. The Administrator may by order -

(a) impose emergency measures provided for in regulations, in specific parts of the Areas in any case where a notifiable or non-notifiable animal disease exists;

(b) cancel such emergency measures, provided the disease has been successfully dealt with;

(c) impose measures for the surveillance, combating and control of notifiable or non-notifiable animal diseases.

8. The Chief Officer shall have power to -

(a) authorise official veterinarians and designated veterinarians to carry out the veterinarian checks and exercise the powers deriving from the provisions of this Ordinance, and from the regulations and orders made under this Ordinance;

(b) authorise veterinary inspectors, who on the responsibility and instructions of their official veterinarians assist in the
carrying out of veterinarian checks and in the application or execution of their decisions;

(c) issue notifications to be published in the Gazette, which may relate to the following -

(i) the right to carry out veterinary checks and inspections and to provide scientific assistance, laboratory assistance and veterinary clinical assistance;

(ii) fees in respect of objections;

(iii) the approval of lists of other countries from which the importation into the Areas of animals and animal products may be permitted;

(iv) the prescribing of animal diseases as being notifiable diseases;

(v) the imposition of emergency measures for the prevention and combating of animal diseases;

(vi) the determination for the purposes of the payment of compensation of the value of animals which have been seized or destroyed in accordance with the provisions of section 4(1)(a) and (b) or which die as a result of any other action or activity of the Chief Officer;

(vii) the determination of veterinary laboratories in foreign countries, the services of which may be used by the Chief Officer for purposes of serving or satisfying any special needs or confirming the results of the official veterinary laboratories;

(d) issue, suspend or revoke the operating permits of undertakings in accordance with conditions provided for in regulations made under this Ordinance;

(e) apply the measures which are provided for in regulations, orders and special plans for dealing with notifiable diseases, as soon as a notifiable disease is suspected or diagnosed;

(f) apply the measures for preventing the spread of any notifiable or non-notifiable disease, where necessary, for a period not exceeding 21 days, until an order may be issued by the Administrator as provided for in section 7(a);

(g) appoint the members of committees for the examination of objections against any decisions of the official veterinarians;

(h) appoint the members of committees of three members for the assessment of the value of animal products or articles which are seized and destroyed or otherwise disposed of, in the framework of applying programmes of control or combating animal diseases as provided for in section 4(1)(a) and (b);

(i) authorise the prosecution of a businessman or any other person believed to have contravened the provisions of this Ordinance or the regulations or orders made under it.
9. —(1) Official veterinarians, designated veterinarians and veterinary inspectors who have been authorised by the Chief Officer in accordance with paragraphs (a) and (b) of section 8, may enter any premises of an undertaking, where they reasonably believe that any works which are regulated under this Ordinance and the regulations made under it are carried out, with the aim of carrying out veterinary checks on animals and animal products and premises, and shall have access to the records of the undertaking, whether these are in written or electronic form, for the purpose of establishing compliance with this Ordinance and the regulations and orders made under it.

(2) In accordance with conditions, procedures and criteria prescribed by regulations and orders made under this Ordinance and provided he is justified by the circumstances, an official veterinarian may, in the exercise of the powers given to him under this Ordinance -

(a) seize any animal which poses a threat to the health of other animals or of the public;

(b) slaughter or destroy any animal which poses an imminent threat to the health of other animals or of the public;

(c) enforce any prohibition or restriction on the movement of humans, animals, animal products, dead animals, hides, horns, bones, ova, viscera or the contents thereof, animal derivatives, by-products, hair, fleece-wool and any other articles, to and from any undertaking or place, where by an order of the Administrator or by a decision of the Chief Officer, emergency measures have been imposed for the combating of any disease;

(d) require compliance by any person, with the conditions and measures imposed upon him under this Ordinance and regulations and orders made under it;

(e) require the inoculation of animals;

(f) require the isolation or separation and examination of animals;

(g) prohibit or regulate the placing or keeping of animals in common unfenced areas or in fields or other insufficiently fenced places or near to major roads;

(h) prohibit or regulate the carrying out of purchases, fairs or sales of animals in public or private places where animals may be exposed for sale;

(i) require the marking of animals;

(j) apply any necessary measures for the prevention or combating of animal diseases;

(k) inspect and check –

(i) undertakings and their equipment,

(ii) works carried out at the premises of undertakings, and

(iii) products produced by undertakings,

in order to ascertain whether the provisions of this Ordinance and of the regulations made under it are being complied with;
require and regulate the cleaning and disinfecting of places or areas or parts of such places and areas with approved disinfectants;

(m) carry out any necessary samplings from animals and animal products, without the obligation to pay any fee, and to send, if he deems it necessary, such samples to the official veterinary laboratory;

(n) require the detention of animal products but only for so long as may be necessary to take a final decision regarding what shall be done with them;

(o) seize animal products or any other articles;

(p) require the destruction of animal products or any other articles;

(q) prohibit and regulate the importation and unloading from a ship or aircraft of animals, dead animals, animal products, by-products and preparations from biological products related to the health of animals, animal feeding stuffs of animal and vegetable origin, animal litter, dung and any other articles which may transmit an animal disease and generally to apply any measures necessary for preventing the introduction into or spread within the Areas of any disease which affects animals;

(r) require an interruption of work at any premises for a period of four days, on ascertaining that the conditions existing there constitute a serious contravention of the provisions of this Ordinance or regulations or orders made under it:

Provided that where a businessman during such period fails to comply with those provisions the contravention of which provided the reasons for the requirement for the interruption of work, the official veterinarian may require a second four-day interruption period. After failure on the part of the businessman to comply with such provisions at the end of the second four-day interruption of work, the official veterinarian shall recommend to the Chief Officer the suspension or cancellation of the operating permit of the undertaking which was issued under this Ordinance:

Provided further that such interruptions of work or the suspension or cancellation of an operating permit by the Chief Officer in accordance with section 8, shall not exclude the taking of any judicial measures against the businessman or in respect of the undertaking concerned;

(s) advise the Chief Officer whether or not to issue or suspend an operating permit for an undertaking at any time that the official veterinarian ascertains there is or has been a contravention of the provisions of this Ordinance or of the regulations made under it;

(t) issue appropriate certificates where necessary;

(u) impose the application of self-regulation systems in undertakings and supervise the operation and application of such systems;
(v) report and bring to court, subject to the advice of the Attorney General and Legal Adviser, any businessman or other person who contravenes the provisions of this Ordinance or of the regulations or orders made under it.

(3) In any case to which paragraph (a), (b), (c), (e), (f), (m), (n), (o), (p), (q) or (r) of subsection (2) applies, the official veterinarian shall issue and deliver to the businessman concerned a relevant form referring to the specific action and to the reasons which led to such action, as prescribed by regulations made under this Ordinance.

(4) The Chief Officer or official veterinarian may, for the effective and unimpeded application of the measures provided for in this Ordinance and the regulations made under it, call upon and make use of the assistance of the Police Force or other services of the Administration.

10. – (1) The placing on the market of animals and animal products which derive from or are produced in undertakings or are legally imported into the Island of Cyprus shall be permitted, provided that the provisions of this Ordinance and regulations and orders made under it are fulfilled.

(2) The possession or possession with the intention of placing on the market or the placing on the market of animals or animal products by any person who possesses, intends to place or has placed such animals or animal products on the market knowing that they derive from an unlawful importation shall be prohibited.

11. – (1) Where -

(a) any animal dies as a result of inoculation, diagnostic test or any treatment;

(b) any animal is killed for diagnostic purposes;

(c) any animal, infected or not with a notifiable disease is slaughtered or killed;

(d) any animal dies evidently due to infection by a notifiable disease, the control of which would render necessary the killing and destruction of all animals at the premises or in the area from which the animal came;

(e) any animal dies or is killed due to earthquakes, floods or other calamities, toxic or radioactive substances;

(f) any article was destroyed, in the course of the application by the Chief Officer of programmes of control or of combating notifiable or other animal diseases as provided for in section 4(1)(a) and (b) or of any action or activity of the Chief Officer, compensation shall be paid to the owner of such animal or article, in accordance with the provisions of this section.

(2) The amount of compensation shall be 100% of the assessable reproduction value of the dead, killed or slaughtered animals or of the estimated value of the articles destroyed, based on their physical condition and not on their replacement value.

(3) The assessment of the value of destroyed animal products or articles shall be carried out by a committee of three members which shall be appointed for this purpose by the Chief Officer as provided for in section 8(h).
(4) Any amount deriving from any possible use of the slaughtered or destroyed animal shall become the property of the Areas.

(5) Where it is proved that the seizure, slaughter, or destruction of an animal or article was recommended or rendered necessary due to the wilful contravention of the provisions of this Ordinance or of regulations or orders made under it by the owner of such animal or article, no compensation shall be payable to such owner.

(6) No compensation shall be paid under this section in respect of imported animals if their infection with a notifiable disease, their death or compulsory killing happened while they were being kept in quarantine. Further, no compensation shall be payable in respect of animals which are imported without a permit issued by the Chief Officer.

(7) Where an animal is insured or is covered by any compensation scheme funded by either the Administration or the Republic, any amount payable to the owner of the animal by his insurer or under the scheme shall be deducted from the amount of compensation which is payable in respect of the animal under this Ordinance.

12. – (1) Any person who is not satisfied with a decision which is taken in accordance with section 9(2)(a), (o) or (r), may, by paying the relevant fee, object against such decision to the Chief Officer, within twenty-four hours of the notification of the decision to that person:

Provided that in reckoning a twenty-four hour period, non-working days which follow the day of notification of the decision shall not be taken into account:

Provided further that where any seized animal is, immediately after the carrying out of the requisite laboratory and clinical examinations, killed or destroyed, under section 9(2)(b), any objection made in relation to the animal in accordance with subsection (1) above shall not be further examined.

(2) An objection shall be examined without delay by a committee of three members composed of two official veterinarians, other than the official veterinarian who issued the disputed decision and of a veterinarian in private practice who shall be nominated by the person making the objection. The two official veterinarians participating in the committee shall, if possible, be superior or equivalent in grade to the official veterinarian who issued the disputed decision. All members of the committee shall for this purpose be appointed by the Chief Officer, as provided for in section 8(g).

(3) The Committee may, if it deems it necessary, on examining the objection, make any laboratory or clinical examinations, in addition to any other examinations which may have previously been carried out.

(4) The decision of the committee shall be taken by the majority of votes of its members and shall be final and subject to immediate application:

Provided that where the Chief Officer decides to accept the objection, the fees paid for such objection shall be returned to the person who made the objection.
13. Any person who -

(a) contravenes or fails to comply with any provision of this Ordinance or of regulations or orders made under this Ordinance; or

(b) wilfully obstructs any official veterinarian, designated veterinarian or veterinary inspector, from exercising the powers given to him under this Ordinance and the regulations and orders made under it; or

(c) fails to comply with any instruction or order given to him by the official veterinarian or the Chief Officer in accordance with this Ordinance, or regulations or orders made under it,

shall be guilty of an offence and shall be subject, on conviction, to imprisonment not exceeding six months or to a fine not exceeding £2.000, or to both such penalties. In the case of a second or subsequent conviction, those penalties may be doubled.

14. – (1) The Administrator may make regulations in respect of any matter which under this Ordinance requires to be prescribed or may be prescribed and generally for the better application of this Ordinance.

(2) In particular but without prejudice to the generality of subsection (1), regulations may provide for any of the following matters –

(a) the determination of the details for the exercise of the responsibilities, powers and obligations of the Chief Officer referred to in section 4 which relate to any matter of animal health;

(b) the determination of the hygienic conditions which shall be fulfilled for the prevention and dealing with animal diseases;

(c) the determination of the conditions of issue, suspension and revocation of operating permits for undertakings and the hygiene conditions for the operation of such undertakings;

(d) the forms and fees for permits;

(e) the determination of conditions, criteria and procedures for the measures to be taken, for the prevention, containment and control of animal diseases; and

(f) the imposition of emergency measures for the prevention and combating of animal diseases.

15. Any permits issued for the purposes of the Ordinance repealed and the order revoked by section 16 shall be valid as operating permits for an undertaking until the expiry date stated upon them.

17. This Ordinance shall come into force on such day as the Administrator shall appoint by a notification published in the Gazette.

11th March 2002
(195/1)

D.J. BONNER,
Chief Officer.
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 Consumer Protection (Doorstep Selling and Other Contracts Made Off Trade Premises) (Amendment) Ordinance 2002.

2. Section 19 of the Consumer Protection (Doorstep Selling and Other Contracts Made Off Trade Premises) Ordinance 2001 shall be amended by substituting for the word “Administration” in each of the two places at which it appears, the word “Administrator”.

11th March 2002
D.J. BONNER,
Chief Officer.
ORDINANCE 7 OF 2002

AN ORDINANCE TO PROVIDE FOR CONSUMER PROTECTION THROUGH THE INDICATION OF SALE AND UNIT PRICES OF GOODS OFFERED TO CONSUMERS

T. W. RIMMER
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 Consumer Protection (Indication of Sale and Unit Prices of Goods) Ordinance 2002.

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

"Authorised Service" means, in the case of any premises owned or occupied by the Crown in any capacity or by an Authorised Service Organisation, as the same is defined in the Treaty of Establishment, the Chief Officer or any other person appointed by him in that behalf, and in any other case means the Competition and Consumer Protection Service of the Ministry of Commerce, Industry and Tourism of the Republic and includes any body to which the functions of that Service (in so far as those functions concern consumer protection through the indication of sale and unit prices of goods offered to consumers) under the relevant Republican law may be transferred;

"consumer" means an individual who buys goods for purposes other than for any trade, business or profession;

"goods sold in bulk" means goods which are not packaged and which are weighed or measured in the presence of the consumer, and cognate expressions shall be construed accordingly;

"net quantity" in relation to a package means the nominal quantity of the package, that is to say the quantity of goods contained in the package, expressed in terms of weight, length, area, volume or number, as stated on the package;
“net strained weight” in relation to solid goods contained in a liquid means the weight of the goods after the liquid has been strained off for two minutes;

“packaged goods” means goods which have been pre-packed in any form of container;

“relevant Republican law” means Republican Law No.112(I)/2000 and includes any Republican law amending or substituting that Law;

“selling price” means the price for a unit of the goods or a given quantity of the goods, inclusive of VAT and all other taxes;

“small retail business” means any retail business carried on in a shop with an internal floor area, excluding any area which is not used for the sale by retail of goods or the exhibition of goods intended for sale by retail, not exceeding 280 square meters;

“trader” means any person who in the course of his trade, business or profession sells any goods or offers any goods for sale;

“unit price” in relation to any goods means the price, inclusive of VAT and all other taxes, for one kilogramme, one litre, one metre, one square metre or one cubic metre of the goods, according to the weight or other measure by which the goods are sold or offered for sale, or in relation to any goods of a description included in the first column of the Schedule, the price for a unit of such goods according to the measure of unit relating to such goods given in the second column of the Schedule;

“VAT” means value added tax.

3. This Ordinance shall not apply to—

(a) goods supplied in the course of providing a service; or

(b) goods sold by auction, to works of art or to antiques.

4. —(1) Subject to subsection (2) below, a trader selling or exposing goods for sale to consumers shall ensure that the selling price is indicated on such goods, in accordance with the provisions of this Ordinance.

(2) Subsection (1) above shall not apply in relation to goods sold in bulk or offered for sale in bulk and on which only the unit price is indicated in accordance with section 5.

5. — (1) Subject to subsection (2) below, a trader selling or exposing goods for sale to consumers shall ensure that, in addition to the selling price, the unit price of the goods is indicated on such goods, in accordance with the provisions of this Ordinance.

(2) Subsection (1) above shall not apply in relation to goods where the indication of their unit price would not be useful because of the nature or purpose of the goods or where such an indication could cause confusion, and in particular subsection (1) above shall not apply to—

(a) goods the price of which has been reduced and is lower than their usual selling price because —
(i) the condition of the goods has deteriorated, or
(ii) there is a risk that the condition of the goods will deteriorate;

(b) goods the unit price of which is identical to their selling price;

c) goods made up of a variety of different items marketed in the same packaging;

d) packaged goods which are sold —
(i) by a small retail business, or
(ii) by a hawker, or
(iii) through an automatic vending machine;

(e) goods sold in quantities of less than 5 grams or 5 millilitres.

6. Subject to section 5, where the selling price of any goods is given in any advertisement or catalogue, the unit price of the goods shall also be given.

7. — (1) The selling price and the unit price shall be indicated in Cyprus pounds.

(2) No price, other than the selling price and the unit price, shall be indicated on any goods.

(3) The indications of the selling price and of the unit price shall be —

(a) clear, easily identifiable, distinguishable and legible; and

(b) indicated on the goods themselves or on their packaging or, so long as no confusion is thereby caused to the customer, on the shelves where they are exposed for sale.

8. A trader selling or exposing for sale to customers any packaged goods for which, under any legislation having effect in the Areas, the indication of the net strained weight is required in addition to that of the net quantity, shall ensure that the unit price of the net strained weight of the goods is also indicated on such goods.

9. A trader who contravenes or fails to comply with any of the provisions of section 4, 5, 6, 7 or 8 shall be guilty of an offence and in the case of a first conviction shall be liable to imprisonment not exceeding six months or to a fine not exceeding one thousand pounds or to both such penalties and in the case of any subsequent conviction, to imprisonment not exceeding one year or to a fine not exceeding two thousand pounds or to both such penalties.

10. — (1) Any officer of the Authorised Service shall have the power, at any reasonable time, to take any of the following actions —

(a) for the purpose of ascertaining whether or not an offence has been committed under this Ordinance, to enter any premises where a business or trade is carried on and to inspect any of the goods therein;

(b) if he has reasonable cause to believe that an offence has been committed under this Ordinance, to confiscate and retain any goods for the purpose of ascertaining whether the suspected offence has in fact been committed.
(2) An officer who confiscates goods in the exercise of his powers under this Ordinance shall inform the person from whom such goods were confiscated of the confiscation of the goods.

(3) During the carrying out of any investigation under subsection (1) above, the trader concerned or any other person acting on his behalf shall assist the officer of the Authorised Service in carrying out his investigation and shall give him any help or information that he reasonably requests for the purpose of discharging his duties under this section.

11. — (1) A person who —

(a) intentionally obstructs an officer of the Authorised Service in exercising any of the powers conferred upon him by or under this Ordinance; or

(b) without reasonable cause fails to give to such officer any assistance or information which he reasonably requests for the purposes of his discharging any of the duties imposed upon him by or under this Ordinance,

shall be guilty of an offence and, on conviction, shall be liable to imprisonment not exceeding six months or to a fine not exceeding one thousand pounds or to both such penalties.

(2) A person who, in furnishing any of the information referred to in subsection (1) above, knowingly makes an inaccurate statement shall be guilty of an offence and on conviction shall be liable to imprisonment not exceeding six months or to a fine not exceeding one thousand pounds.

12. — (1) The Administrator may make regulations for the more effective application of this Ordinance.

(2) Without prejudice to the generality of subsection (1) above, such regulations may in particular prescribe the manner in which prices shall be indicated in relation to different categories of goods.
SCHEDULE
(Section 2)

UNITS OF MEASURE FOR THE PURPOSES OF DETERMINING THE UNIT PRICE OF CERTAIN DESCRIPTIONS OF GOODS

DESCRIPTION OF GOODS

<table>
<thead>
<tr>
<th>DESCRIPTION OF GOODS</th>
<th>UNIT</th>
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<tbody>
<tr>
<td>Herbs</td>
<td>10g</td>
</tr>
<tr>
<td>Spices</td>
<td>10g</td>
</tr>
<tr>
<td>Aromatic substances</td>
<td>10ml</td>
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<tr>
<td>Colouring substances for food</td>
<td>10ml</td>
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<tr>
<td>Seeds with the exception of peas and beans</td>
<td>10g</td>
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<tr>
<td>Cosmetic makeup products</td>
<td>10g/ml</td>
</tr>
<tr>
<td>Rice</td>
<td>100g</td>
</tr>
<tr>
<td>Pickles</td>
<td>100g</td>
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<tr>
<td>Sauces, edible oils</td>
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</tr>
<tr>
<td>Fresh processed salads</td>
<td>100g</td>
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<tr>
<td>Frozen desserts</td>
<td>100ml</td>
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<tr>
<td>Creams</td>
<td>100ml</td>
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<td>Bread</td>
<td>100g</td>
</tr>
<tr>
<td>Biscuits</td>
<td>100g</td>
</tr>
<tr>
<td>Pies and tarts which have an indication of the net quantity</td>
<td>100g</td>
</tr>
<tr>
<td>Ice creams and frozen desserts</td>
<td>100g/ml</td>
</tr>
<tr>
<td>Compotes</td>
<td>100g</td>
</tr>
<tr>
<td>Soups</td>
<td>100g</td>
</tr>
<tr>
<td>Fruit juices, soft drinks</td>
<td>100ml</td>
</tr>
<tr>
<td>Coffee</td>
<td>100g/ml</td>
</tr>
<tr>
<td>Tea and other non-alcoholic beverages prepared with the addition of water</td>
<td>100g</td>
</tr>
<tr>
<td>Pastry Products</td>
<td>100g</td>
</tr>
<tr>
<td>Crisps and other similar products commonly known as snacks</td>
<td>100g</td>
</tr>
<tr>
<td>Cereal products for breakfast</td>
<td>100g</td>
</tr>
<tr>
<td>Dry sauce mixtures</td>
<td>100g</td>
</tr>
<tr>
<td>Lubricant oils other than those used in internal combustion engines</td>
<td>100ml</td>
</tr>
<tr>
<td>Shaving creams</td>
<td>100g/ml</td>
</tr>
<tr>
<td>Hand creams</td>
<td>100ml</td>
</tr>
<tr>
<td>Multi-purpose lotions and creams</td>
<td>100ml</td>
</tr>
<tr>
<td>Sun protection products</td>
<td>100ml</td>
</tr>
<tr>
<td>Products for mouth hygiene including toothpaste</td>
<td>100g/ml</td>
</tr>
<tr>
<td>Hair laquer</td>
<td>100ml</td>
</tr>
<tr>
<td>Shampoos and hair conditioners</td>
<td>100g/ml</td>
</tr>
<tr>
<td>Hair strengthening products, creams and hair shining products</td>
<td>100ml</td>
</tr>
<tr>
<td>Foam-baths and other similar products for bathing and showering</td>
<td>100ml</td>
</tr>
<tr>
<td>Antiperspirants</td>
<td>100g/ml</td>
</tr>
<tr>
<td>Powder</td>
<td>100g</td>
</tr>
<tr>
<td>Toilet soaps</td>
<td>100g</td>
</tr>
<tr>
<td>Cosmetic products and toilet products which contain a percentage lower than 3% of their weight in natural and synthetic aromatic oils and a percentage lower than 70% of their weight in pure ethyl alcohol; aromatic waters, hair lotions, lotions used whilst showering and shaving</td>
<td>100ml</td>
</tr>
<tr>
<td>Rolling tobacco and tobacco for pipes</td>
<td>100g</td>
</tr>
<tr>
<td>Wines, sparkling wines, liqueurs, wine strengthened with alcohol</td>
<td>750ml</td>
</tr>
<tr>
<td>Coal, where sold by the kilogramme</td>
<td>50kg</td>
</tr>
<tr>
<td>Aggregate (sand and gravel) where sold by the kilogramme</td>
<td>1000kg</td>
</tr>
</tbody>
</table>

11th March 2002
(173/16)

D.J. BONNER,
Chief Officer.
AN ORDINANCE
TO PROVIDE FOR THE APPLICATION OF
SPECIFICATIONS FOR THE PRODUCTION, GRADING,
MARKING AND TRADING OF EDIBLE EGGS.

T. W. RIMMER
ADMINISTRATOR

11th March 2002.

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 Edible Eggs
(Specifications for the Production, Grading, Marking and Trading)
Ordinance 2002.

2. In this Ordinance, unless the context otherwise requires –

“Authorised Service” means, in the case of any premises
owned or occupied by the Crown in any capacity or by an
Authorised Service Organisation, as the same is defined in the
Treaty of Establishment, the Chief Officer or any other person
appointed by him in that behalf, and in any other case means
the Authorised Service appointed under section 20 of the
corresponding Republican law;

“batch” in relation to any eggs means eggs from the same
packing centre, that is to say a packing centre situated in one
place, being eggs in packs or loose and with the same packing
date or minimum period of durability and of the same quality
and weight grading;

“broken eggs” means eggs with fractures on their shell and
membranes, resulting in the exposure of their contents;

“collector” means a person authorised by the Authorised
Service to collect eggs from a producer for delivery to–

(a) a packing centre;

(b) a market selling only to wholesalers whose undertakings
   are authorised packing centres;

(c) industry;

Short title.
Interpretation.
Provisions of this Ordinance to be fulfilled in relation to marketed eggs.

Certain provisions of Ordinance disapplied to certain eggs.

“corresponding Republican law” means Republican Law No.118(I)/2000 and includes any Law of the Republic amending or substituting that Law;

“cracked eggs” means eggs with a damaged shell but with intact membranes;

“eggs” means hens’ eggs in shell suitable for human consumption or for use in the food industry, except for broken eggs, incubated eggs or boiled eggs;

“eggs for hatching” means eggs intended for chick production as specified in any legislation of the Areas or of the Republic concerning such production;

“incubated eggs” means eggs which have been placed in an incubator and eggs shall be regarded as incubated eggs from the moment that they are so placed;

“industrial eggs” means hens’ eggs in shell other than those intended for direct human consumption, and includes broken eggs and incubated eggs but does not include boiled eggs;

“inspector” means a person appointed under section 21;

“large pack” means a pack, open case or container, containing more than 36 eggs;

“loose sale” means the offer for sale by retail of eggs other than in large or small packs;

“owner” in relation to any packing centre or other undertaking or establishment includes an occupier having charge of it;

“packing centre” means an undertaking or establishment authorised by the Authorised Service to grade eggs by quality and weight;

“regulations” means regulations made under this Ordinance;

“small pack” means a pack containing no more than 36 eggs, or a tray or case covered by a thin plastic sheet (but not an uncovered tray or case) containing no more than 36 eggs;

“trading” in relation to any form of eggs includes the possessing for sale, exposing for sale, offering for sale, selling, delivering or any other form of trading in eggs;

3. Eggs may only be marketed by way of business or trade in the Areas if the provisions of this Ordinance are fulfilled in relation to the eggs.

4. - (1) The provisions of this Ordinance as regards the grading of eggs by category of quality and weight shall not apply in relation to -

(a) eggs transported directly from their place of production to a packing centre or to a market selling only to wholesalers whose undertakings are authorised packing centres, or to undertakings in the food industry for processing, or to industries other than the food industry;

(b) eggs produced in the Island of Cyprus and delivered for processing to industrial undertakings whether or not such undertakings are concerned in the food industry.
(2) This Ordinance shall not apply in relation to-

(a) eggs imported by a consumer in the Areas from a country which is not a member State of the European Union or to eggs exported to a country which is not a member State of the European Union, in small quantities not exceeding 60 eggs, for the consumer’s personal use;

(b) eggs delivered directly to a consumer for his personal use, at the undertaking of the producer, or in a local public market (with the exception of an auction market or a home delivery):

Provided that the eggs come from the producer’s own production, are not packed in accordance with sections 14, 15 and 16 and none of the indications relating to the quality and weight gradings provided for in this Ordinance is used in relation to the eggs.

(3) This Ordinance shall not affect the provisions of any other Ordinance concerning matters relating to the health of animals and humans and to food products and which are enacted to ensure compliance with the specifications relating to health that apply to such products or for the protection of animal or human health.

5. Eggs of a particular description shall not be mixed with any eggs of a different description.

6. - (1) Without prejudice to sections 3 and 4(1), a producer may deliver-

(a) eggs only to a collector, a packing centre, a market such as is referred to in section 4(1)(a), or to an industrial undertaking whether or not such undertaking is concerned in the food industry;

(b) industrial eggs, other than incubated eggs, only to a packing centre or to an industrial undertaking other than an undertaking concerned in the food industry; and

(c) incubated eggs, only to a rendering plant or to an industrial undertaking, other than an undertaking concerned in the food industry.

(2) Eggs broken in a packing centre may only be delivered to the processing industry excluding the food industry.

7. - (1) No person shall operate a packing centre without an operating licence.

(2) Except as provided by section 11, only the owner of an undertaking may grade or down-grade eggs, or mark eggs and packs, or pack eggs by category of quality and weight.

(3) The owner of a packing centre shall keep an up-to-date record of his suppliers.

(4) The Authorised Service may, having regard to the criteria set out in section 12 and in accordance with regulations, grant an operating licence in respect of a packing centre for the grading and marking of eggs and, following a relevant application, shall allocate a distinguishing number to any undertaking or producer having all suitable plant and equipment for the grading of eggs by category of quality and weight.
(5) Such an application shall be made by the owner of the undertaking and shall be addressed to the Authorised Service.

(6) An operating licence granted under this section shall expire on the 31st of December of the year following the year of its issue. Such licence may be renewed if all the requirements of this Ordinance and the regulations have been fulfilled in relation to the licence:

Provided that an undertaking which is operating as a packing centre on the day that this Ordinance comes into force shall make an application for an operating licence on, or within three months after, that day.

(7) An operating licence may be revoked before the date that it is expressed to expire if the licensee contravenes any provision of this Ordinance or of regulations or any of the conditions attaching to the licence or if the required preconditions for the granting of the licence were never, or cease to be, fulfilled.

8. - (1) Eggs shall be graded by quality as follows-
   (a) class “A” or “fresh eggs”;
   (b) class “B” or “second quality” or “preserved eggs”;
   (c) class “C” or “down-graded eggs” intended for the food industry.

(2) Class “A” eggs shall be graded by weight.

(3) Eggs shall be graded in class “A” or “B” in accordance with the criteria provided for in section 12.

9. Eggs shall not bear any indications other than those provided for in this Ordinance.

10. - (1) One or more of the following indications may be stamped on class “A” eggs -
   (a) their minimum period of durability;
   (b) one or more further dates aimed at providing the consumer with additional information;
   (c) the quality grading;
   (d) the weight grading;
   (e) the distinguishing number of the packing centre at which they were graded;
   (f) the name or the business name of that packing centre;
   (g) the trade name or trade mark;
   (h) a reference to the type of farming used for the production of the eggs;
   (i) an indication of the origin of the eggs; and
   (j) the code identifying the producer’s undertaking.

(2) The indications provided for in paragraphs (f) and (g) of subsection (1) above may be used only in accordance with the relevant conditions provided for in section 14(1)(a)(i) or (ii).

(3) The indications provided for in paragraphs (b), (h) and (i) of subsection (1) above may only be used in accordance with conditions prescribed by regulations.
11. (1) Class B and C eggs, except cracked eggs, shall bear a distinguishing mark, showing their quality grading and may also bear one or more of the indications referred to in section 10.

(2) Subject to subsection (3) below, Class A and B eggs which no longer have the characteristics respectively specified for such classes, shall be down-graded and may be re-graded into classes B or C, respectively, according to their characteristics. In such a case the eggs shall bear a distinguishing mark in accordance with subsection (1) above. The indications which may have been stamped on the eggs in accordance with section 10 or subsection (1) above, may be retained except for the indication concerning the weight grading, which shall be altered if necessary.

(3) Class A and B eggs which no longer have the characteristics respectively specified for such classes may be delivered directly to undertakings in the food industry without the indications referred to in subsection (2) above providing that the destination of the eggs is expressly stated on their packaging.

12. For the purposes of adopting parameters which shall apply in relation to class A and B eggs, the following criteria shall in particular be taken into account—

(a) the appearance of the shell;
(b) the consistency of the white;
(c) the height of the air space;
(d) the appearance and position of the yolk;
(e) freedom from spots or foreign bodies;
(f) the development of germ cells.

13. Packs of eggs shall not bear any indication other than those provided for in this Ordinance.

14. (1) Large packs and small packs, even when contained in larger packs, shall bear on one of their outer surfaces, in clear and legible letters—

(a) either—

(i) the name or business name and the address of the undertaking which packed the eggs or had them packed, or

(ii) the name, the business name or the trade mark used by such undertaking, which may be a trade mark used collectively by a number of undertakings, and may be stamped on the packs, provided that it does not contain any wording or symbols incompatible with the provisions of this Ordinance, relating to the quality and freshness of the eggs or the type of farming used for their production or the origin of the eggs;

(b) the distinguishing number of the packing centre at which the eggs were graded;

(c) the quality and weight classes. Class A eggs shall be identified by the word “class A” or by the letter “A”, whether or not in combination with the word “fresh”;
(d) the number of eggs contained in the pack;
(e) the minimum period of durability followed by the appropriate storage conditions for class A eggs and the packing date of eggs of any other class; and
(f) indications as to refrigeration or method of preservation, in an uncoded form, in respect of refrigerated or preserved eggs.

(2) In addition, both large and small packs may bear the following indications on their outer or inner surfaces—
(a) the selling price;
(b) codes relating to the management of retail sale or stock control;
(c) one or more additional dates aimed at providing the consumer with supplementary information;
(d) indications concerning special storage conditions; and
(e) indications or symbols designed to promote the sale of eggs or other products, provided that such indications or symbols and the way they are mentioned are not likely to mislead the buyer.

(3) Any additional dates and indications concerning the method of farming used and the origin of the eggs shall be in accordance with regulations.

(4) Where the use of indications concerning the type of farming used for the production of any eggs or as to their origin has adverse effects on the proper functioning of the market, or if serious difficulties arise as to the control of the use of such indications or as to their effectiveness, the Authorised Service may suspend the use of such indications.

(5) Where a large pack contains a number of small packs of eggs bearing any indication as to the type of farming used in the production of the eggs or as to their origin, such indication shall also be written on the large pack.

15. (1) Subject to subsection (2) below, a large pack shall have a band or label provided by the Authorised Service, bearing the indications referred to in section 14 and which shall not be re-used once the pack has been opened. Such a band or label shall not be compulsory in the case of a large pack in the form of an open case or container, provided that such a pack does not prevent the identification of the indications mentioned in section 14 which shall be shown on the small packs contained in the large pack.

(2) In the case of a direct delivery from a packing centre to the retail trade of eggs intended for loose sales in small quantities, the eggs need not be packed in large packs provided that they are packed in accordance with regulations.

16. The words “extra” or “extra fresh” may be used on small packs containing class A eggs, which are provided with a band or tape. Such words shall be printed on the band or tape, which shall be removed and destroyed on the seventh day after the eggs were packed or on the ninth day after the eggs were laid.
17. - (1) Eggs that are displayed or offered for sale in the retail trade shall be presented separately, according to their quality and weight grading and where applicable, according to whether refrigeration or any other method of preservation has been used. The quality and weight grading and the fact that the eggs have been refrigerated or preserved shall be indicated, where this is the case, in such a manner as to be clearly and unequivocally visible to the consumer.

(2) In relation to eggs for loose sales, the distinguishing number of the packing centre which graded the eggs or in the case of eggs imported from a country which is not a member State of the European Union, the country of their importation into the European Union and their minimum period of durability followed by directions as to suitable storage, shall also be indicated.

(3) Eggs of the same quality grading, except for class A eggs marked “extra” or “extra fresh” in accordance with section 16, may be displayed or offered for sale in small packs containing eggs of different weight gradings, provided that the net weight and the words “eggs of different sizes” or the various weight gradings are indicated on the packs.

18. Eggs imported from a country which is not a member State of the European Union may be imported for free circulation into the Areas if -

(a) they comply with the provisions of sections 5, 8, 9, 10, 11, 13, 16 and 17 (2); and

(b) they are contained in packs, including small packs contained in large packs, bearing visibly and legibly the following indications -

(i) the country of origin,
(ii) the name of the packing undertaking in the country which is not a member State of the European Union,
(iii) the quality and weight grading,
(iv) for large packs, the weight of the packed eggs in kilograms and their number and, for small packs, their number,
(v) the date of packing and the minimum period of durability, followed by directions as to the appropriate storage conditions for class A eggs and the date of packing of the eggs of other classes, and
(vi) the sender’s name and address in the case of large packs.

19. - (1) Subject to subsection (3) below, this Ordinance applies also to packed eggs intended for export to a country which is not a member State of the European Union.

(2) Packed eggs which have been dipped shall not be deemed to have been treated for preservation if the eggs are intended for export to a country which is not a member State of the European Union.

(3) Packed eggs intended for export to a country which is not a member State of the European Union may, in order to comply with the requirements of that country -
(a) be in conformity with requirements exceeding those provided for in this Ordinance as regards quality, marking and labelling, or with additional requirements;

(b) bear on their packs, marks or indications which differ from those provided for by this Ordinance provided that such marks or indications are not likely to cause confusion with the marks and indications provided for by this Ordinance.

(4) Packed eggs intended for export to a country which is not a member State of the European Union may be graded in weight gradings which differ from those adopted in accordance with section 12. In such a case the weight grading shall be visibly indicated on the packs.

20. The Chief Officer shall take all appropriate measures for penalties to be applied in relation to contraventions of the provisions of this Ordinance.

21. - (1) The Chief Officer may appoint persons to act as inspectors, for the purposes of this Ordinance and the regulations.

(2) In addition to the powers and duties which may be particularly assigned to him in accordance with any other provision of this Ordinance and the regulations, an inspector shall -

(a) advise the Authorised Service about applications for the granting of licences, approvals or exemption certificates, in accordance with this Ordinance and about proposed revocations or modifications of these;

(b) report to the Chief Officer any contravention of the provisions of this Ordinance and advise on the measures to be taken;

(c) exercise any other powers and perform any other duties which may be assigned to him for the purposes of control and application of this Ordinance and the regulations.

(3) For the purposes of the exercise of his powers or the performance of his duties, any inspector may at any reasonable time and having produced his certificate of appointment -

(a) inspect any undertaking and examine any books, documents or the register of such undertaking, for the purposes of this Ordinance;

(b) mark any egg container or case or register for the purposes of this Ordinance;

(c) enter any premises or other places where he has reason to believe that work is carried out which is regulated by the provisions of this Ordinance and the regulations;

(d) visit any places, packing centres, undertakings and premises for the purposes of control and in order to establish whether there has been any contravention of the provisions of this Ordinance and of the regulations;

(e) confiscate eggs or other evidence which he believes will be required in future criminal proceedings relating to an offence, where he reasonably believes that an offence has been committed under this Ordinance;
(f) examine any means of transport and open any pack or case that he reasonably believes to contain or be carrying eggs to which this Ordinance applies; and

(g) carry out sampling of eggs, in accordance with section 22.

22. - (1) An inspector shall carry out sampling of eggs, during all stages of their production and distribution, particularly during their production, grading, marking and transport.

(2) In the case of eggs imported from a country which is not a member State of the European Union, such sampling shall also be carried out during customs clearance of the eggs.

23. - (1) Where a sample of eggs from a batch reveals that the provisions of this Ordinance have not been complied with in relation to the eggs sampled, the decision of the Authorised Service in relation to the non-compliance shall apply in relation to the whole of the batch which was sampled.

(2) If a sample of eggs from a batch is not in conformity with the provisions of this Ordinance, the inspector who carried out the sampling shall inform the Authorised Service accordingly and the Authorised Service may prohibit any trading in or importation of the whole batch if it comes from a country which is not a member State of the European Union, unless and until it is proved that conformity with the provisions of this Ordinance has been achieved in relation to the batch.

(3) The inspector who carried out the sampling shall ascertain whether conformity with the provisions of this Ordinance has been achieved in relation to a batch in respect of which a prohibition has been imposed pursuant to subsection (2) above, or whether the procedure aiming at achieving such conformity is still in progress.

24. Any person who-

(a) contravenes or fails to comply with the provisions of this Ordinance and the regulations, concerning the production, transport, storing, grading, quality control, weight control and packaging of eggs and the trading in eggs;

(b) contravenes or fails to comply with any of the conditions of any licence granted to him under this Ordinance;

(c) conceals, destroys, forges or refuses to produce any book or document for the purposes of control in accordance with this Ordinance or the regulations; or

(d) prevents or obstructs in any manner an inspector in the exercise of his powers or the performance of his duties, in accordance with this Ordinance or the regulations,

shall be guilty of an offence and shall be liable on first conviction, to a fine not exceeding £2000 and in the case of a second or subsequent conviction, to a fine not exceeding £4000 or to imprisonment not exceeding six months or to both such penalties. In addition, the court judging the case shall have the power to order the confiscation of any eggs in relation to which the offence was committed or to order their destruction or disposal in any other manner and to order the closing down of the packing centre or undertaking in relation to which or within which the offence was committed.
25. The Administrator may make regulations for all or for any of the following purposes –

(a) prescribing and generally regulating the specifications as to the quality of any class of eggs intended for human consumption;

(b) imposing, prohibiting or regulating the addition of any additive to eggs for improving their quality and nutritive value;

(c) prescribing the placing and marking of labels and bands;

(d) prohibiting or otherwise regulating the sale, possession for sale, offering or exposing eggs for sale and generally regulating the trading in eggs;

(e) imposing obligations on producers, wholesalers and collectors concerned in the trade in eggs;

(f) regulating the down-grading and use of eggs which no longer comply with their previous classification;

(g) determining the acceptable limits of deviation in sampled eggs;

(h) imposing conditions for the packaging of eggs;

(i) amending any provision of this Ordinance relating to the granting or suspension of operating licences in respect of packing centres, collectors and undertakings and the obligations arising from such licences;

(j) providing for the inspection of undertakings which produce, store or pack eggs and for the taking of samples;

(k) prescribing the procedure to be followed by the Authorised Service and the measures to be taken to ensure the confidentiality of information provided to it;

(l) prescribing detailed rules concerning the frequency of collection, delivery and handling of eggs, the quality criteria for and the weight grading of eggs, and the indications to be marked on eggs and on their packaging;

(m) providing for supplementary dates and indications as regards the type of farming used for the production of eggs and the origin of the eggs, the terminology to be used in such indications and the rules for determining the origin of eggs; and

(n) regulating any other matter which may be necessary or expedient for the better application of this Ordinance.

26. This Ordinance shall come into force on such day as the Administrator shall appoint by notice published in the Gazette.

11th March 2002

D.J. BONNER,
Chief Officer.
ORDINANCE 9 OF 2002

AN ORDINANCE TO AMEND THE ORDINANCE RELATING TO THE PRESERVATION, PROTECTION AND DEVELOPMENT OF GAME AND WILD BIRDS ORDINANCE

T.W. RIMMER
ADMINISTRATOR

11th March 2002.

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 Game and Wild Birds (Protection and Development) (Amendment) Ordinance 2002 and shall be read as one with the Game and Wild Birds (Protection and Development) Ordinance 1974 (hereinafter referred to as "the principal Ordinance").

2. Section 14 of the principal Ordinance is hereby amended by deleting paragraph (c) of subsection (1) thereof and substituting therefor the following new paragraph –

“(c) game finders or any other devices designed to detect the presence of game or wild birds, silencers or any other devices designed to reduce the noise made when discharging a firearm, sighting devices for night shooting, any apparatus for illuminating targets and any bait of explosive mechanism;”.

11th March 2002

D.J. BONNER,
Chief Officer.
AN ORDINANCE
TO PROVIDE FOR THE APPLICATION OF
SPECIFICATIONS FOR THE PRODUCTION, GRADING,
MARKING AND TRADING OF POULTRYMEAT.

T.W. RIMMER
ADMINISTRATOR

11th March 2002.

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 Poultrymeat (Specifications for the Production, Grading, Marking and Trading of Poultrymeat) Ordinance 2002.

2. - (1) In this Ordinance, unless the context otherwise requires -

"Authorised Service" means, in relation to a trade or business carried on at premises owned or occupied by the Crown in any capacity or by an Authorised Service Organisation, as the same is defined in the Treaty of Establishment, the Chief Officer or any other person appointed by him in that behalf, and in relation to any trade or business carried on elsewhere in the Areas means the Authorised Service appointed under section 20 of the corresponding Republican law;

"carcase" means the whole body of a bird of a species referred to in section 3(1), after bleeding, plucking and evisceration. The removal of the heart, gizzard, liver, lungs, crop and kidneys and the cutting of the legs at the tarsus and the removal of the head shall be optional. The eviscerated carcase may be offered for sale with or without the giblets, that is to say, the heart, liver, gizzard and neck, placed in the abdominal cavity;

"corresponding Republican Law" means Republican Law No.101(I)/2000 and includes any Law of the Republic amending or substituting that law;

"cuts" means poultrymeat which owing to the size and characteristics of its muscle tissue is identifiable as having been obtained from particular parts of the carcase;
"deep-frozen poultry meat" (or "quick-frozen poultrymeat") means poultrymeat which –

(a) has been frozen in accordance with the quick-freeze method, during which the zone of maximum crystallization is passed as soon as possible (depending on the size and species of the poultrymeat);

(b) is kept continuously at a final temperature at all its stages (after stabilisation) of \(-18^\circ\) C or lower; and

(c) is sold in such a manner as to indicate that it has these characteristics;

"fresh poultrymeat" means poultrymeat which has not been stiffened by the cooling process and which is kept at a temperature not lower than 2° C and not higher than 4° C., save that different requirements may be prescribed by regulations as regards the temperature for the cutting and storage of fresh poultrymeat in retail shops or undertakings which is carried out near the place of sale and done exclusively for the purpose of a supply directly to a consumer at such place;

"frozen poultrymeat" means poultrymeat which has been frozen as soon as possible under normal slaughtering procedures and which is continuously kept at a temperature not exceeding \(-12^\circ\) C;

"inspector" means an inspector appointed under section 11 of this Ordinance;

"owner" in relation to any undertaking includes a person occupying and having charge of it;

"poultrymeat" means poultrymeat suitable for human consumption, which has not undergone any treatment other than cold treatment;

"poultrymeat without prepacking" means poultrymeat offered for sale to the final consumer without being prepacked or which is packed at the place of sale at the buyer's implied or expressed request;

"prepacked poultrymeat" means poultrymeat packed for presentation to the final consumer as prepacked and includes the poultrymeat and the package in which it has been placed before it was displayed for sale, whether or not the package contains the whole or part of a bird, and which in all cases is packed in such a manner as to prevent the alteration of the meat without opening or changing the package;

"regulations" means regulations made under this Ordinance;

"undertaking" means any premises or part thereof, or any other place where the slaughtering, cutting, grading, packing, marking and storage of poultrymeat intended for human consumption is carried out.

3. - (1) This Ordinance applies in relation to poultrymeat of the following species -

(a) gallus domesticus (chickens);

(b) ducks;
(c) geese;
(d) turkeys;
(e) guinea fowl.

(2) Poultrymeat of a description falling within subsection (1) above shall not be marketed in the Areas by way of business or trade, unless the provisions of this Ordinance are fulfilled in relation to it.

(3) This Ordinance applies only in relation to carcases, cut poultrymeat and edible offal of carcases, including fois gras.

(4) This Ordinance does not apply in relation to poultrymeat intended for -
(a) export to any country which is not a member State of the European Union;
(b) sale to the food industry for processing.

(5) This Ordinance shall not affect the provisions of any other legislation concerning veterinary and health matters and foodstuffs and which aim to ensure the hygiene and health standards of products or to protect animal and human health.

4. - (1) No person shall operate an undertaking for the purposes of this Ordinance unless he holds a licence under this Ordinance.

(2) The owner of an undertaking shall -
(a) cut;
(b) pack;
(c) grade;
(d) mark; and
(e) store,
only poultrymeat in relation to which this Ordinance applies.

(3) An application for a licence shall be made by the owner and shall be addressed to the Authorised Service as prescribed by regulations:

Provided that in respect of an undertaking which is in operation on the day that this Ordinance comes into force, an application shall be made on, or within three months after, that day.

(4) A licence granted under this section shall expire on the 31st of December of the year following the year of its issue. Such licence may be renewed following an inspection by the Authorised Service of the undertaking, to ensure that it continues to be operated in accordance with all requirements of this Ordinance and the regulations.

(5) The Authorised Service may revoke any licence before the date that it is expressed to expire, if the licensee infringes any provision of this Ordinance or the regulations or any condition attaching to the licence.

5. - (1) Poultrymeat shall be classified as either class “A” or class “B” according to the conformation and appearance of the carcases or the cuts thereof. Class “A” poultrymeat may be further classified into sub-class “A1” or “A2”. Such classifications shall be based in particular on the development of the flesh, the presence of fat and the extent of any damage or contusions.
(2) Poultrymeat shall be marketed in one of the following conditions -
   (a) fresh;
   (b) frozen; or
   (c) deep-frozen (or quick-frozen).

(3) Prepacked, frozen or deep-frozen poultrymeat may be classified by weight category in accordance with regulations.

6. The following indications shall be shown on any commercial documents accompanying poultrymeat -
   (a) the class, as referred to in section 5(1);
   (b) the condition in which the poultrymeat is marketed in accordance with section 5(2);
   (c) the recommended storage temperature.

7.-(1) The labelling, presentation and advertising of poultrymeat intended for a final consumer, shall at least comply with the appropriate requirements provided in subsections (2), (3), (4), (5) and (6) below and in section 9(2).

   (2) In the case of fresh poultrymeat, the minimum period of durability shall be replaced by a “use by” date.

   (3) In the case of prepackaged poultrymeat, at least the following particulars shall also appear on the prepackaging or on the label attached thereto and unequivocally connected to it -
      (a) the class as referred to in section 5(1);
      (b) the price and the price per unit at the retail stage, in the case of fresh poultrymeat;
      (c) the condition in which the poultrymeat is marketed in accordance with section 5(2) and the recommended storage temperature;
      (d) the registration number of the slaughterhouse or cutting plant except in the cases of cutting and boning at the place of sale for the purpose of a sale directly to a consumer;
      (e) in the case of poultrymeat imported from a country which is not a member State of the European Union, an indication of the country of origin.

(4) Where poultrymeat is offered for sale without prepackaging, except where cutting and boning take place at the place of sale for the purpose of a sale directly to a consumer and provided that such cutting and boning is carried out at the request and in the presence of the consumer, the final packaging shall at least bear the following indications -
   (a) the class, as referred to in section 5(1);
   (b) the price per unit weight at the retail stage;
   (c) the condition in which the poultrymeat is marketed in accordance with section 5(2) and the recommended storage temperature;
(d) the registration number of the slaughterhouse or cutting plant;

(e) in case of poultrymeat imported from a country which is not a member State of the European Union, an indication of the country of origin.

(5) The detailed rules regarding the indication of the name under which poultrymeat is sold shall be prescribed by regulations.

(6) The detailed rules concerning-

(a) the optional indication of the method of chilling used; and

(b) the optional indication of the method of farming used and the conditions of the regular controls, to which the use of such indications is subject,

may be prescribed by regulations.

Regulations may also prescribe the conditions on the basis of which the regular controls referred to in paragraph (b) above may be carried out by the Authorised Service, in such manner as to ensure the necessary assurance of independence with respect to the producers concerned.

8. Notwithstanding sections 5, 6 and 7, in relation to poultrymeat delivered to cutting or processing establishments, the classification of poultrymeat or the indications of the additional particulars provided for in those sections, shall not be obligatory.

9. (1) The percentages of water absorption which is technically unavoidable by poultrymeat and which is not to be exceeded and the relevant unified control methods during the preparation of fresh and frozen carcases and deep-frozen carcases, shall be prescribed by regulations.

(2) The indication on poultrymeat of the percentages of technically unavoidable water absorption referred to in subsection (1) above may be made obligatory by regulations.

10. The Chief Officer shall take all appropriate measures for penalties to be applied in relation to contraventions of the provisions of this Ordinance or of regulations.

11. (1) The Chief Officer may appoint persons to act as inspectors, for the purposes of this Ordinance and the regulations.

(2) In addition to the powers and duties which may be specifically assigned to him under any other provision of this Ordinance and the regulations, an inspector shall -

(a) advise the Authorised Service about applications for a licence to pack, mark or produce poultrymeat;

(b) report to the Chief Officer any contravention of the provisions of this Ordinance;

(c) exercise any other powers and perform any other duties which may be assigned to him for the purposes of control and application of this Ordinance and the regulations.

(3) For the purposes of exercising his powers or performing his duties, an inspector may, at any reasonable time and after presenting a certificate showing his capacity -
(a) inspect any undertaking and examine books, documents or records for the purposes of this Ordinance;

(b) enter any undertaking or other place where he has reason to believe that work is carried out which is regulated by the provisions of this Ordinance and the regulations and mark any pack, case or record;

(c) examine any means of transport and open any pack or case which he has reason to believe carries or contains poultrymeat in relation to which this Ordinance applies;

(d) take representative samples of poultrymeat from an undertaking or other place at any stage of trading in poultrymeat;

(e) examine and take representative samples of poultrymeat from the premises or stores of the customs authorities, open any cases or packs and inspect any means of transport during the customs clearance of any poultrymeat imported from a country which is not a member State of the European Union.

12. - (1) For the more effective application of this Ordinance, the Administrator may make regulations with regard to any matter which he deems is necessary or which in accordance with this Ordinance, may be prescribed.

(2) Without prejudice to the generality of subsection (1) above such regulations may in particular provide for any of the following matters -

(a) the imposition of conditions and provisions as to the criteria for the classification of carcases and parts of poultrymeat intended for human consumption and provisions for their subdivision into sub-classes;

(b) the manner of packing, the languages that may be used on any packaging or label, the name and the presentation under which fresh or frozen poultrymeat may be sold;

(c) the procedure and the conditions of granting a licence for the production, packing and marking of poultrymeat;

(d) the obligations of producers, packers and sellers of poultrymeat;

(e) the limits of tolerated deviations in samples;

(f) the grading, marking and control of prepackaged frozen or deep-frozen (or quick-frozen) poultrymeat;

(g) the inspection and control of undertakings and the records to be kept of the activities carried on there;

(h) the importation of poultrymeat from any country which is not a member State of the European Union;

(i) the controls relating to, and the method of determining, the percentages of water absorption of frozen and quick-frozen poultrymeat;

(j) the classification of prepackaged poultrymeat in weight classes and the indications of the cooling methods used;
(k) the use of and the conditions for indicating the regular controls of the methods of poultry farming;

(l) the method of determining water loss during defrosting and the method of determining the total water content in poultry.

13. - Any person who-

(a) contravenes or fails to comply with any provision of this Ordinance or any regulations regarding the production, transport storage, grading, quality and weight control, packing or marking of, or the trade in poultrymeat; or

(b) imports for sale or packs for sale or sells or has in his possession poultrymeat with the intention of selling it, in circumstances where the importation, storage, transport, grading, quality and weight control, marking or circulation of, or trade in the poultrymeat concerned is not in accordance with the provisions of this Ordinance or regulations; or

(c) contravenes or fails to comply with the conditions attaching to any licence granted to him under this Ordinance; or

(d) conceals, destroys, forges or refuses to furnish any book or document which may be requested of him for control purposes under this Ordinance or regulations; or

(e) in any way obstructs an authorised inspector in the exercise of his powers or the performance of his duties, under this Ordinance or regulations,

shall be guilty of a criminal offence and shall be liable on conviction to a fine not exceeding £2,000 and in the case of a second or subsequent conviction, to a fine not exceeding £4,000 or to imprisonment not exceeding six months, or to both such penalties.

14. - This Ordinance shall come into force on such day as the Administrator shall appoint by notice published in the Gazette.

Commencement.

11th March 2002
(173/20)

D.J. BONNER,
Chief Officer.
AN ORDINANCE
TO PROVIDE FOR THE CONTROL OF SCHOOL CANTEENS

T.W. RIMMER
ADMINISTRATOR

16th March 2002.

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 School Canteens Ordinance 2002.

2. - (1) In this Ordinance, unless the context otherwise requires—

“canteen” or “school canteen” means a designated place at a school where food (including drink) is sold to pupils, teachers, clerical and other staff of the school in accordance with an approved price list;

“C.C.C.S.C.” means the Central Committee for the Control of School Canteens appointed under section 4 of the corresponding Republican law;

“corresponding Republican law” means Republican Law No. 60(I)/2000 (which provides for the establishment and operation of a Central Committee for the Control of School Canteens);

“L.C.C.S.C.” means a Local Committee for the Control of School Canteens appointed under section 5;

“school” means a primary or secondary school which is administered and maintained by the Republic not being a school governed by special legislation and includes a school declared to be one to which this Ordinance applies by decision of the Administrator published in the Gazette;

“School Board” in relation to a school means the body which under the law of the Republic has the overall responsibility for the administration of the school;
"Scientific Committee" means the Scientific Committee appointed under section 11 of the corresponding Republican law.

(2) Any reference in this Ordinance to any primary or subordinate legislation of the Republic includes a reference to any legislation of the Republic which amends or replaces the legislation referred to.

3. The general control of canteens shall rest with the Administrator.

4. The C.C.C.S.C. shall -

(a) decide on the kinds of food to be approved ("approved food") for sale by canteens, having taken into account the recommendations made by the Scientific Committee in accordance with section 12 of the corresponding Republican law;

(b) provide the relevant specifications of each approved food to School Boards;

(c) issue a list of approved foods and the approved price for each kind of such food;

(d) make any amendments to the approved price for any kind of approved food;

(e) withdraw any kind of approved food from canteens, if it deems it necessary in the interests of the protection of the health of pupils and of other customers of the canteens;

(f) supervise the control carried out by the L.C.C.S.C. with regard to -

(i) breaches of the price list;

(ii) breaches of the list of approved foods;

(iii) breaches of the specifications of any approved food;

(iv) breaches of the hygiene conditions for school canteens set out in Schedule 1;

(v) failures of the licensed operator of the canteen ("the licensee") or a responsible employee of his to be at the canteen at all times that the canteen is open;

(g) prepare and submit to the Administrator an annual general report regarding the results of the control of school canteens.

5. - (1) A Local Committee for the Control of School Canteens (hereinafter referred to as a "L.C.C.S.C.") shall be appointed by the Chief Officer for each school and shall be composed of -

(a) a representative of the management of the school, as chairman;

(b) a representative of the Teachers Union of the Republic;

(c) a representative of the Central Students Union of the Republic;

(d) a representative of the Parents Union of the Republic;

(e) a representative of the Sanitary Services of the Ministry of Health of the Republic;

(f) a representative of the Pancyprian Association of Consumers.
A L.C.C.S.C. shall make rules regulating its internal procedures.

6. (1) A L.C.C.S.C., under the supervision of the C.C.C.S.C., shall exercise at reasonable intervals control over each canteen in respect of which it has been appointed, for the purpose of ascertaining compliance by the licensee and other persons with the hygiene conditions for school canteens set out in Schedule 1.

(2) Where following an inspection in accordance with subsection (1) above, it is ascertained that the licensee of any canteen is not complying with the provisions of this Ordinance, the L.C.C.S.C. for the canteen shall submit a detailed report in writing to the School Board or the Chief Officer if it relates to a secondary technical school. Such report shall specify the provisions of this Ordinance with which the licensee is not complying and give particulars of such non-compliance.

(3) A L.C.C.S.C. shall, three to four times annually assess each canteen in respect of which it has been appointed and shall complete an assessment of each canteen in the form set out in Schedule 2.

(4) A L.C.C.S.C. shall, twice annually, submit to the C.C.C.S.C., the head teacher or headmaster of the school, the School Board and to the Chief Officer an assessment report regarding the canteen. The first such report shall be submitted between 15 January and 15 February and the second between 15 March and 15 April of each year.

7. (1) A L.C.C.S.C., for the purpose of fulfilling its obligations under section 6 may take any food on offer at any canteen in respect of which it has been appointed and arrange for the food to be examined.

(2) In any case in which an analysis is required in order to ascertain whether there has been an infringement of this Ordinance, such analysis shall be carried out by the Government Analyst of the Republic.

8. (1) The School Board or the Chief Officer, as the case may require, shall, immediately upon receiving a report as provided by section 6, examine the matter and shall have power to impose on the licensee concerned, after giving him the opportunity to be heard, any or all of the following penalties -

(a) a fine not exceeding two thousand pounds;

(b) termination of the licence to operate the canteen and the immediate surrender of the canteen;

(c) forfeiture of the whole or part of the guarantee deposited by the licensee at the time of the submission of the tender for the licence to operate the canteen.

(2) Where a licensee refuses or fails to pay a fine imposed under subsection (1)(a) above, the fine shall be collected from the guarantee mentioned in subsection (1)(c) above.

(3) Where a fine is imposed and collected from the guarantee or where part of the guarantee thereof is forfeited, the licensee shall replace the amount so collected or forfeited so that the total amount
of the guarantee shall always be equal to the amount which the licensee was required to deposit under the terms of the tender for the licence to operate the canteen.

(4) Where a licensee refuses or fails to pay a fine imposed upon him under subsection (1)(a) above, or to replace the amount collected from his guarantee under subsection (3) above, or the amount of his guarantee which has been forfeited under that subsection within a reasonable period which has been notified to him, then his licence to operate the canteen shall be terminated forthwith on the expiration of that period.

(5) Where the licensee of a canteen refuses or fails to surrender the canteen after the termination of the licence whether under subsection (1)(b) above or under subsection (4) above, the School Board shall have the power to enter the canteen and evict the licensee and take possession of the canteen without recourse to any compulsory judicial process.

9. - (1) The licensee of a canteen and any person employed by him shall comply with the hygiene conditions for school canteens set out in Schedule 1.

(2) The licensee of a canteen or a person employed by him shall be present at the canteen during all working days and times of the school and at all such other times as the School Board may require, for the purpose of serving the pupils, teachers, clerical and other staff related to the school. The licensee of the canteen shall employ the necessary number of staff for a prompt and comprehensive service to the teachers and pupils.

10. The food to be offered by the licensee of a canteen shall be only such food as is included in the current list issued under section 4(c).

11. The licensee of a canteen shall post at a conspicuous place both inside and outside of the canteen the current approved price list issued under section 4(c).

12. Where the licensee of a canteen is supplied for the purpose of sale in the canteen with food products which are included in the Schedule to the Food Hygiene General Regulations 1970 of the Republic ("the 1970 Regulations") he shall ensure that such food products originate from a registered manufacturer or processor and that they originate from premises which fulfil the provisions of the 1970 Regulations.

13. The licensee of a canteen and each person employed by him shall submit annually to the School Board of the school concerned the following –

(a) a certificate of health given by a government hospital of the Republic or the Medical Services of the Areas which shall include examinations for salmonella, parasites and skin diseases;

(b) a certificate of a clean criminal record.

14. The Administrator may make regulations, to be published in the Gazette, for the more effective application of any of the provisions of this Ordinance.
HYGIENE CONDITIONS FOR SCHOOL CANTEENS

1. Canteen hygiene requires hygienic conditions and practices to be observed in relation to all of the following matters –
   (a) the personal hygiene of all persons working in the canteen and of all other persons who enter places in the canteen where food is stored or prepared;
   (b) in the preparation and cooking of food;
   (c) throughout the premises of the canteen including all its equipment and utensils;
   (d) in the purchase and storing of food.

2. In order to ensure personal hygiene any person such as is mentioned in paragraph 1(a) above –
   (a) shall keep his hands, mouth, nose, hair and ears clean;
   (b) before and after handling any food, and after any visit to a lavatory, he shall wash his hands thoroughly using warm water, liquid soap, or special hand antiseptic and shall dry them with paper kitchen rolls (and never with a towel) or under a warm air hand drier;
   (c) shall keep any wounds covered with a waterproof dressing;
   (d) shall not wear any ring or other jewellery;
   (e) shall keep his finger nails short and clean;
   (f) shall not lick his fingers;
   (g) shall not smoke in the canteen and on returning to the canteen after having smoked elsewhere he shall wash his hands in accordance with sub-paragraph (a) above;
   (h) shall not cough or sneeze over any food;
   (i) shall wear a hat or other hair cover;
   (j) shall wear a clean white overall whenever he is preparing food;
   (k) shall take protective measures including consulting a doctor if he is suffering from diarrhoea, influenza or any other ailment.

3. In order to ensure that hygienic conditions and practices are observed in the preparation and cooking of food, a person so engaged shall –
   (a) cook food properly by heating it to its core;
   (b) prepare food using utensils which have been washed before use with liquid soap and warm water;
   (c) avoid touching with his fingers the inside surfaces of glasses or cups;
   (d) use different cutting boards for cutting raw meat, cooked meat and vegetables respectively;
(e) keep stored foods separate and store raw food and cooked food separately;

(f) prepare sandwiches in a separate part of the canteen, suitably arranged and used exclusively for that purpose, and shall clean the bench used for this purpose both before and after each occasion that it is used;

(g) clean vegetables carefully with water, salt or vinegar;

(h) cover all food with a nylon cover bearing a mark of its suitability for this purpose, or with a piece of clean paper which shall be used only once, or with a net food cover.

4. In order to ensure that hygienic conditions and practices are observed throughout the premises of the canteen including all its equipment and utensils, the licensee of the canteen and his staff shall ensure that –

(a) all work surfaces, equipment and utensils are washed with warm soapy water and liquid disinfectant before and after being used;

(b) all equipment and utensils which have been used are clean before they are stored away and that they are stored in clean, closed cupboards;

(c) no live animals or birds are allowed into the canteen;

(d) effective precautions are taken to prevent and combat flies, cockroaches or rodents;

(e) storage places, cupboards and refrigerators are kept clean;

(f) all glasses and cups are kept in cupboards with closed doors;

(g) the waste bin is closed immediately after waste is deposited in it and it is emptied and cleaned at the end of each day that it is used;

(h) the floor of the canteen is smooth, level and is non-absorbent, in order to enable it to be cleaned effectively;

(i) the internal surfaces of the walls and the ceiling are smooth, in order that they may be cleaned effectively;

(j) the openings of doors and windows (other than the openings of serving hatches) are covered with a fine but strong wire mesh;

(k) the sink for washing dishes and utensils is equipped with taps with hot and cold running water, and is provided with detergents and disinfectants and is cleaned immediately after use;

(l) there is also a wash basin equipped with taps with hot and cold running water, which is provided with detergents and disinfectants and is cleaned immediately after use;

(m) the internal surface of any wall where a kitchen sink, basin or work bench is situated is covered up to a height of at least 3 feet with ceramic tiles, oil paint or other suitable non-absorbent material;
(n) there is sufficient natural and artificial lighting and ventilation;
(o) all work surfaces are smooth, non-absorbent and non-toxic.

5. In order to ensure that hygienic conditions and practices are observed in the purchase and storing of food the licensee and his staff shall –

(a) purchase fresh food only from clean shops and approved premises;
(b) ensure that packed food is in conformity with the compulsory standards CYS 33: 1994, “Marking of packed food” and CYS 71: 1985, “Marking of packed food” with time indications which, among other things, require the following information -
   (i) name of food,
   (ii) list of constituents,
   (iii) net contents,
   (iv) name and address of manufacturer,
   (v) country of origin,
   (vi) expiry date for consumption;
(c) check at the time when the food is purchased that the date for consumption has not expired;
(d) store raw food separately from cooked food;
(e) use glass and non-toxic containers for the storing of food or if plastic containers are used that they bear the marking of suitability;
(f) not leave perishable food in a warm place;
(g) keep food in suitable refrigerators without corroded grilles;
(h) store milk, yoghurt and similar food in a refrigerator immediately after it has been delivered;
(i) have a thermometer in each refrigerator which should be maintained at a temperature below 8°C;
(j) have at the canteen a suitable store which is kept clean for keeping raw materials;
(k) regularly check the date for consumption of stored food and dispose immediately of any food whose date for consumption has expired;
(l) follow any instructions of the manufacturer on the packet concerning the storing of any food;
(m) keep unpacked food such as raw materials for the preparation of sandwiches or other food, covered in a separate grille in a refrigerator;
(n) keep all refrigerators clean at all times and use a suitable disinfectant for disinfecting them;
(o) defrost any refrigerator when necessary.
**SCHEDULE 2**
(Section 6(3))

**FORM FOR THE ASSESSMENT OF A SCHOOL CANTEEN BY THE LOCAL COMMITTEE FOR THE CONTROL OF SCHOOL CANTEENS**

Results of inspection

School: .............................................

Date: .............................................

L.C.C.S.C.

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Licensee of canteen

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1. Is the licensee present during the working hours of the canteen?  
   YES ☐  NO ☐

2. Does the licensee and each member of staff have -
   - a certificate of health from a state hospital (salmonella, parasites, skin diseases)?  
     YES ☐  NO ☐
   - an official certificate of clean criminal record?  
     YES ☐  NO ☐

3. Are the premises suitable for a canteen?  
   YES ☐  NO ☐

4. Does the arrangement of the work places and equipment (benches, refrigerators and others) serve the needs of the canteen?  
   YES ☐  NO ☐

5. Is the approved price list posted, with all the products on sale, at a conspicuous place both inside and outside of the canteen?  
   YES ☐  NO ☐
6. 1. Are the food products offered only those referred to in the approved list?
   YES ☐ NO ☐

2. Are the prices of the food products offered those stated in the approved list?
   YES ☐ NO ☐

If not, state below the food products or the prices which are not in accordance with the approved list.

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7. Is there evidence that all the food products offered originate from premises which fulfil the provisions of the Food Hygiene General Regulations 1970 of the Republic and are registered by the Food Council of the Ministry of Health of the Republic?
   YES ☐ NO ☐

8. Are packed food products in conformity with the provisions of standards CYS 33: 1994, CYS 71: 1985 which require the following markings -
   - name of food? YES ☐ NO ☐
   - list of ingredients? YES ☐ NO ☐
   - net content? YES ☐ NO ☐
   - name and address of manufacturer? YES ☐ NO ☐
   - country of origin? YES ☐ NO ☐
   - expiry date for consumption? YES ☐ NO ☐

9. Hygiene – Cleanliness of premises, equipment and utensils and suitability of equipment and utensils
   1. Is the canteen floor kept clean?
      YES ☐ NO ☐
   2. Are the internal surfaces of walls and the ceiling kept clean?
      YES ☐ NO ☐
   3. Is the storeroom kept clean?
      YES ☐ NO ☐
4. Is the sink for washing utensils (hot and cold water, tiles) kept clean?  
5. Is the wash basin (hot and cold water) kept clean?  
6. Are all work benches kept clean?  
7. Are all food storage containers suitable for the purpose?  
8. Are all utensils, glasses, cups properly washed?  
9. Is there a suitably arranged place for the preparation of sandwiches, which is used exclusively for this purpose?  
10. Are effective precautions taken to prevent and combat flies, cockroaches, rodents and other pests?  
11. Is there a fine but strong wire mesh on the windows for protection against flies and insects?  
12. Are there at the canteen suitable waste bins which are kept closed when they are not being used?  
13. At the end of each working day are all wastes taken to a suitable central waste place?  

10. Hygiene – Staff

Do all staff -

1. keep their hands clean, have short finger nails, cover any wounds with a water-proof dressing and keep themselves free from all jewellery?  
2. wear clean white overalls whenever preparing food?  
3. wear at all times a hat or other hair cover?  
4. wash and dry their hands with:
   - liquid soap?  
   - kitchen paper roll?  
   - hand dryer?  
   - towels?
11. Hygiene - Food

1. Are products requiring a low temperature (milk, yoghurt, etc) kept in a suitable refrigerator below 8°C?  
   YES □  NO □

2. Is there a thermometer in the refrigerator for the purpose of checking its temperature?  
   YES □  NO □

3. Are cooked and raw foods in the refrigerator kept separately and covered?  
   YES □  NO □

4. Is the refrigerator kept clean and are the grilles of the refrigerator in a good condition and without corrosion?  
   YES □  NO □

5. Are separate cutting boards used for the cutting of meat and vegetables?  
   YES □  NO □

6. Are suitable covers (net wire, clean paper, non-toxic nylon bearing the marking of suitability for food) used for the protection of sandwiches and bread products?  
   YES □  NO □

7. Are the bread products offered to the customers of the canteen served:
   - packed?  
     YES □  NO □
   - with a hygienic serviette or paper?  
     YES □  NO □
   - by hand without a pincer or serviette?  
     YES □  NO □

8. Are the containers of the bread products supplied to the canteen clean and used once only?  
   YES □  NO □

9. Where plastic containers or bowls are used for the keeping of food, do such containers bear the marking of suitability?  
   YES □  NO □

12. Conduct:

1. Does the licensee consent to the inspections and comply with any recommendations of the competent persons for the inspection of the canteen?  
   YES □  NO □
2. Do the staff of the canteen offer an excellent service:
   - to the pupils? YES ☐ NO ☐
   - to the staff of the school? YES ☐ NO ☐
3. Is the conduct of the staff of the canteen satisfactory? YES ☐ NO ☐

Observations – Suggestions:
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16th March 2002
(140/6) D.J. BONNER,
Chief Officer.