



**SUPPLEMENT No. 2**  
**TO**  
**THE SOVEREIGN BASE AREAS GAZETTE**  
**No. 1242 of 29th March 2002**  
**LEGISLATION**

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ORDINANCE 12 OF 2002

**AN ORDINANCE**  
**TO CONSOLIDATE WITH AMENDMENTS THE**  
**ORDINANCES RELATING TO THE POWERS AND**  
**DUTIES OF OFFICERS OF THE REPUBLIC OF CYPRUS**  
**IN OR IN RELATION TO THE SOVEREIGN BASE AREAS**

**T.W. RIMMER**  
**ADMINISTRATOR**

19th 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 Powers and Duties of Officers of the Republic of Cyprus Ordinance 2002.

Short title.

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

Interpretation.

“enactment” (except in the expression “specified enactment”) means an Ordinance of the Areas or a Law of the Republic and includes any public instrument made, issued or kept under the authority of any such Ordinance or Law; and “enactment of the Areas” and “Republican enactment” shall be construed accordingly;

“officer of the Areas” means any person other than an officer of the Republic upon whom a specified power is conferred or a specified duty is imposed by or under any enactment of the Areas;

“officer of the Republic” means –

(a) any person who, whether or not he is a member of the public service of the Republic;

(b) any body of persons which, whether or not it is an official body, and whether or not it is incorporated,

has any powers conferred, or any duties imposed, upon him or it, by or under any Republican enactment;

“specified duty” means any duty imposed on any person by or under an enactment of the Areas and which is specified in an order made by the Administrator under section 3;

“specified enactment” means an enactment of the Areas which is specified in an order made by the Administrator under section 3;

“specified power” means any power conferred on any person by or under an enactment of the Areas and which is specified in an order made by the Administrator under section 3.

(2) Any reference in this Ordinance to any power conferred on any officer of the Areas or of the Republic or to any duty imposed on any such officer shall be construed as a reference to a power falling to be exercised, or, as the case may require, as a duty falling to be performed, in an official capacity, and shall be construed as including any act or thing permitted or required to be done in relation to the exercise of such a power or the performance of such a duty.

Exercise of powers and performance of duties by officers of the Republic.

Schedule.

3. For the purposes of giving effect to arrangements with the authorities of the Republic of Cyprus whereby those authorities are to exercise powers or perform duties in or in relation to the Sovereign Base Areas, the Administrator may, by order made under this section and published in the Gazette, direct that any specified power conferred, or any specified duty imposed upon any officer of the Areas by or under any enactment mentioned in the Schedule and specified in the order (hereinafter referred to as “the specified enactment”) may, subject to any conditions or restrictions specified in the order, be lawfully exercised or, as the case may require, may lawfully be performed in or in relation to the Areas by any officer of the Republic who, under any Republican enactment is authorised, or who is in any other manner permitted to exercise any power or perform any duty in relation to the same matters or things as are dealt with by the specified enactment.

Places where officers of the Republic may act.

4. - (1) Where the Administrator has, by order made under section 3, directed that any specified power may lawfully be exercised, or any specified duty may lawfully be performed in or in relation to the Areas by an officer of the Republic, such specified power may be so exercised, or such specified duty may be so performed by such officer either in the appropriate place in the Areas or in the appropriate place in the Republic.

(2) For the purposes of this Ordinance –

“the appropriate place in the Areas” in relation to the exercise of any specified power or the performance of any specified duty means the place in the Areas where that power may be exercised or that duty may be performed by an officer of the Areas;

“the appropriate place in the Republic” in relation to the exercise of any specified power or the performance of any specified duty means the place in the Republic where a similar power could be exercised or a similar duty could be performed under the Republican enactment which deals in the Republic with the same matters or things as are dealt with in the Areas by the relevant enactment, had the Areas formed part of the Republic and those parts of the Areas which before 16<sup>th</sup> August 1960 lay within the districts of Limassol, Larnaca and Famagusta respectively continued to lie within the same respective districts.

5. Any power exercised or any duty performed by an officer of the Republic acting pursuant to a direction in an order made under section 3, and any act or thing whatsoever done or suffered in connection with the exercise of such a power or the performance of such a duty shall be of the same force and effect in all respects and for all purposes as if such power had been exercised, or such duty had been performed or such act or thing had been done by an officer of the Areas acting in accordance with the specified enactment.

Effect of acts of officers of the Republic.

6. Without prejudice to the generality of section 5, any order, notice, direction, appointment, licence, permission or other like instrument in writing may be made or given, and the same may be varied or revoked, by an officer of the Republic acting pursuant to a direction in an order made under section 3 in the same manner and to the same extent and upon the same terms and conditions and in all other respects as if such officer of the Republic were an officer of the Areas acting in accordance with the specified enactment.

Orders etc made by officers of the Republic.

7. Where, under any specified enactment there is a requirement that any instrument such as is referred to in section 6 be made in a prescribed form (however expressed), such requirement shall be deemed for all purposes to be fulfilled if the instrument in question is made –

Prescribed forms.

- (a) in the form prescribed by or under the specified enactment; or
- (b) in such form as may be prescribed by the Republican enactment dealing with the same matters or things as are dealt with by or under the specified enactment; or
- (c) if no such form is prescribed in the Republican enactment, in the form customarily in use in the Republic for the purpose in question.

8. Any enactment of the Areas giving protection to officers of the Areas against civil or criminal liability in respect of acts done in the course of their duties, or in any way applying to such acts, shall apply to officers of the Republic acting pursuant to any direction in an order made under section 3, and to any acts of such officers while so acting, as if such officers were officers of the Areas and as if such acts were the acts of officers of the Areas.

Protection of officers of the Republic.

9. Nothing in this Ordinance shall have the effect of –

- (a) entitling any officer of the Republic to exercise any power or requiring him to perform any duty in or in relation to the Areas otherwise than –
  - (i) pursuant to a direction given by an order made under section 3, and
  - (ii) in accordance with the specified enactment; or
- (b) abridging or in any other way affecting any powers of an officer of the Areas under the specified enactment, which powers may be exercised notwithstanding that an officer of the Republic may be entitled pursuant to a direction given by an order made under section 3 to exercise similar powers.

Powers of officers of the Republic and of officers of the Areas.

**10.** - (1) In any proceedings for an offence contrary to any specified enactment, any Court of the Areas may take judicial notice of any Republican enactment under which any power is exercised or any duty is performed in the Republic in relation to the same matters or things as are dealt with by the specified enactment.

(2) For the purposes of this section the production of a copy of any part of a Republican enactment –

- (a) contained in any printed collection of enactments purporting to be printed and published by an authority of the Republic; or
- (b) contained in any issue of the Gazette of the Republic; or
- (c) purporting to be printed by the Government Printer of the Republic, by whatever name called,

shall be incontrovertible evidence in Court and for all purposes whatsoever of the due and lawful making of such enactment.

(3) For the purposes of this section, a version of any part of a Republican enactment in the English language –

- (a) purporting to be produced by any authority of the Republic; or
- (b) certified as being accurate by any officer of the Administration considered by the Court to have been at the time of such certification a competent and adequate translator into the English language from the language in which the Republican enactment was published in the Republic; or
- (c) given or produced in the course of the oral evidence of any person whom the Court considers to be a competent translator for the purpose; or
- (d) stated orally in Court or produced in writing by a Registrar or official Court interpreter,

may be held by the Court to be incontrovertible evidence for all purposes whatsoever that such version is the accurate English version of the Republican enactment or part of the Republican enactment in question.

**11.** The Administrator may -

- (a) at any time by notice in writing addressed to the appropriate authority of the Republic prohibit, restrict, or impose any condition upon the exercise of any power or the performance of any duty by officers of the Republic under the provisions of this Ordinance and any such prohibition, restriction or condition shall remain effective until revoked or varied in like manner;
- (b) by notice published in the Gazette, annul or vary the effect of any power exercised or duty performed by an officer of the Republic under the provisions of this Ordinance:

Provided that no restriction or condition under paragraph (a) or variation under paragraph (b) above shall have effect unless the same could have been imposed under the provisions of the enactment under which the power is exercised or the duty is performed.

- 12.** The Administrator may at any time by order published in the Gazette, vary the Schedule by adding to or deleting any enactment mentioned therein, or in any other manner. Variation of the Schedule.
- 13.** A certificate under the hand of the Administrator that notice has been given to the appropriate authority of the Republic under the provisions of this Ordinance shall be conclusive proof for all purposes that such notice has been duly given. Proof of notices.
- 14.** The Powers and Duties (Officers of the Republic of Cyprus)(Consolidation) Ordinance 1976 is repealed and all orders made under that Ordinance are revoked. Repeal.  
Ordinance 4/76.
- 15.** This Ordinance shall come into force on the day of its publication in the Gazette. Commencement of Ordinance.

**SCHEDULE**  
(Section 3).

**ENACTMENTS TO WHICH SECTION 3 APPLIES**

SHORT TITLE OF ORDINANCE	REFERENCE
Accidents and Occupational Diseases (Notification) Ordinance.	Cap.176 (Laws of Cyprus)
Administration of Estates Ordinance.	Cap.189 (Laws of Cyprus) and Ordinances 3/1986, 10/1990, 2/1994
Adoption Ordinance.	Cap.274 (Laws of Cyprus) and Ordinance 13/1988
Adulteration of Agricultural Produce Ordinance.	Cap.24 (Laws of Cyprus)
Agricultural Fertilizers Ordinance.	Ordinance 15/2000
Agricultural Pesticides Ordinance.	Ordinance 3/2000
Agricultural Produce (Export) Ordinance.	Cap.28 (Laws of Cyprus)
Akrotiri Community Ordinance.	Ordinances 23/2001, 24/2001
Animal Feeding Stuffs (Control) Ordinance.	Cap.30 (Laws of Cyprus)
Annual Holidays with Pay Ordinance.	Ordinances 10/1973, 12/1979, 21/1980
Antiquities Ordinance.	Ordinances 12/1975, 7/1981, 2/1996, 3/1998
Burials Ordinance.	Cap.247 (Laws of Cyprus)
Capital Gains Tax Ordinance.	Ordinances 18/1980, 3/1981, 1/1991, 9/1994, 22/1999
Cement Industry (Encouragement and Control) Ordinance.	Cap.130 (Laws of Cyprus)
Centres for the Protection and Occupation of Children Ordinance.	Ordinance 4/1997
Charities Ordinance.	Cap.41 (Laws of Cyprus)
Children and Young Persons (Employment) Ordinance.	Cap.178 (Laws of Cyprus) and Ordinances 1/1965, 3/1968, 6/1991, 9/2000
Children Ordinance.	Cap.352 (Laws of Cyprus) and Ordinance 23/1999
Cinematograph Films Ordinance.	Cap.43 (Laws of Cyprus) and Ordinances 6/1963, 14/1971
Civil Procedure Ordinance.	Cap.6 (Laws of Cyprus) and Ordinances 18/1966, 9/1970, 3/1983, 22/1989
Clubs (Registration) Ordinance.	Cap.112 (Laws of Cyprus)
Companies Ordinance.	Cap.113 (Laws of Cyprus) and Ordinances 11/1968, 10/1987, 9/1990,7/1995

SHORT TITLE OF ORDINANCE	REFERENCE
Consumer Protection (Contracts by Mail Order, Telephone, Computer Etc) Ordinance.	Ordinance 25/2001
Consumer Protection (Doorstep Selling and Other Contracts Made Off Trade Premises) Ordinance.	Ordinance 17/2001
Contagious Diseases (Animals) Ordinance.	Ordinance 22/1988
Control of Atmospheric Pollution Ordinance.	Ordinances 6/1998, 10/1999
Control of Water Pollution Ordinance.	Ordinances 7/1998, 11/1999
Co-operative Societies Ordinance.	Cap.114 (Laws of Cyprus) and Statute Law of Cyprus 28/1959
Criminal Procedure Ordinance.	Cap.155 (Laws of Cyprus) and Ordinances 4/1960, 19/1963, 1/1966, 2/1972, 2/1973, 10/1975, 4/1978, 11/1979, 22/1987, 4/1992, 8/1996, 1/1997, 27/1999
Cyprus Carrot Marketing Ordinance.	Ordinance 2/1967
Cyprus Olive Produce Marketing Ordinance.	Ordinance 18/1968
Debtors (Postponement of Sales of Immovable Property) Ordinance.	Ordinance 1/1974
Debtors Relief (Temporary Provisions) Ordinance.	Ordinances 3/1984, 15/1985, 6/1989, 14/1995, 7/1996
Display of Advertisements (Control) Ordinance.	Cap.50 (Laws of Cyprus)
Domestic Servants (Employment of Children and Young Persons) Ordinance.	Cap.179 (Laws of Cyprus) and Ordinance 2/1962
Electricity Ordinance.	Cap.170 (Laws of Cyprus) and Ordinance 17/1990
Elementary Education Ordinance.	Cap.166 (Laws of Cyprus) and Ordinance 14/1992
Employment Rights (Particulars of Employment) Ordinance.	Ordinance 7/2001
Encumbrances and Prohibitions (Temporary Provisions) Ordinance.	Ordinance 12/1977
Estate Duty Ordinance.	Ordinances 6/1965, 13/1968, 7/1976, 1/1987, 3/1988, 10/1994, 3/1997, 8/2000
Factories Ordinance.	Cap.134 (Laws of Cyprus) and Ordinances 22/1964, 12/1972, 9/1982, 15/1989, 7/1990, 7/1992, 16/1999
Fish Farming Ordinance.	Ordinance 18/2001
Fisheries (Consolidation) Ordinance.	Ordinances 2/1982, 3/1991, 5/1994, 1/2002

SHORT TITLE OF ORDINANCE	REFERENCE
Fishing Shelters Ordinance.	Ordinance 19/1993
Food (Sale and Control) Ordinance.	Ordinances 5/2000, 25/2000, 26/2001
Foreshore Protection Ordinance.	Ordinances 9/1975, 9/1987, 12/1999
Forest Ordinance.	Ordinances 14/1980, 16/1987, 20/1988, 12/1991, 7/1994, 20/1999
Fruit Trees Protection Ordinance.	Cap.63 (Laws of Cyprus) and Ordinances 17/1987, 1/1990
Goats Ordinance.	Cap.66 (Laws of Cyprus) and Ordinances 9/1962, 4/1975
Grain Control Ordinance.	Cap.68 (Laws of Cyprus) and Ordinances 18/1960, 7/1963
Health and Safety at Work Ordinance.	Ordinance 6/1999
Hire Purchase, Credit Sale and Hiring of Property (Control) Ordinance.	Ordinance 13/1966
Hours of Employment Ordinance.	Cap.182 (Laws of Cyprus) and Ordinance 4/1967
Immovable Property (Taxation) Ordinance.	Ordinances 17/1980, 5/1981, 10/1984, 9/1992, 8/1995
Immovable Property (Temporary Provisions) Ordinance.	Ordinance 10/1977
Immovable Property (Tenure, Registration and Valuation) Ordinance.	Cap.224 (Laws of Cyprus) and Ordinances 12/1966, 11/1984, 1/1985, 12/1985, 5/1987, 18/1987, 21/1988, 8/1990, 14/1990, 13/1993, 4/1996, 5/1996
Immovable Property (Transfer and Mortgage) Ordinance.	Ordinances 16/1966, 14/1970, 8/1978
Income Tax Ordinance.	Cap.323 (Laws of Cyprus) and Ordinances 16/1961, 11/1966
Irrigation (Private Water) Associations Ordinance.	Cap.115 (Laws of Cyprus) and Ordinance 2/1990
Irrigation Divisions (Villages) Ordinance.	Cap.342 (Laws of Cyprus) and Ordinance 16/1991
Lands and Surveys (Fees and Charges) Ordinance.	Ordinances 8/1971, 12/1973, 8/1976, 8/1979
Livestock Enumeration Ordinance.	Ordinance 15/1964
Medicines (Control of Sale, Supply and Manufacture) Ordinance.	Ordinance 6/2000
Mines and Quarries (Regulation) Ordinance.	Cap.270 (Laws of Cyprus) and Ordinances 14/1963, 15/1995, 9/1999



SHORT TITLE OF ORDINANCE	REFERENCE
Mines Regulations Ordinance.	Cap.271 (Laws of Cyprus)
Mortgage of Immovable Property (Temporary Provisions) Ordinance.	Ordinance 1/1978
Old Peoples and Incapacitated Persons Homes Ordinance.	Ordinance 9/1996
Paramali (Village Commission) (Election, Constitution and Powers) Ordinance.	Ordinance 8/1989
Partnership and Business Names Ordinance.	Cap.116 (Laws of Cyprus)
Petroleum Ordinance.	Ordinances 1/1976, 26/2000
Places of Entertainment Ordinance.	Ordinances 2/1999, 23/2000
Plant Diseases and Pests (Prevention and Control) Ordinance.	Cap.49 (Laws of Cyprus) and Ordinances 9/1978, 9/1981
Post Office Ordinance.	Cap.303 (Laws of Cyprus) and Ordinance 12/1971
Potato Marketing Ordinance.	Ordinance 2/1965
Protection and Welfare of Animals Ordinance.	Ordinance 20/2001
Protection of Maternity Ordinance.	Ordinances 21/1999, 7/2000
Public Rivers Protection Ordinance.	Ordinance 15/1980
Public Roads Ordinance.	Cap.83 (Laws of Cyprus) and Ordinance 27/1961
Public Waterworks Ordinance.	Cap.341 (Laws of Cyprus) and Ordinances 4/1969, 3/2001
Rural Constables Ordinance.	Cap.287 (Laws of Cyprus) and Ordinances 25/1963, 6/1990
Safety of Consumer Goods Ordinance.	Ordinance 22/2000
Sale of Consumer Goods (Conformity with Contracts and Guarantees) Ordinance.	Ordinance 12/2001
Secondary Education Ordinance.	Cap.169 (Laws of Cyprus) and Ordinance 15/1992
Seeds Ordinance.	Cap.90 (Laws of Cyprus)
Sheep and Goats (Shepherds' Licensing and Control) Ordinance.	Cap.91 (Laws of Cyprus) and Ordinances 12/1970 and 16/1989
Shop Assistants Ordinance.	Cap.185 (Laws of Cyprus) and Ordinances 13/1979, 15/1990, 21/2001
Social Insurance (Facilitation of Republican Social Insurance Scheme) Ordinance.	Ordinances 16/1980, 5/1983, 1/1984, 5/1985, 17/1985, 6/1987, 24/1987, 14/1988, 4/1990, 1/1993
Stamp Ordinance.	Ordinances 13/1964, 10/1968, 9/1969, 13/1972, 12/1980, 19/1991, 7/1993, 8/1994, 9/1995

SHORT TITLE OF ORDINANCE	REFERENCE
Standards and Control of Quality Ordinance.	Ordinance 4/1984
Statistics Ordinance.	Ordinance 20/1968
Street and House to House Collections Ordinance.	Cap.95 (Laws of Cyprus) and Ordinance 7/1988
Streets and Buildings Regulation (Consolidation) Ordinance.	Ordinances 7/1984, 2/1987, 13/1987, 18/1988, 10/1996, 7/1999, 2/2000, 10/2000
Tax Collection Ordinance.	Ordinance 8/1964
Termination of Employment (Consolidation) Ordinance.	Ordinances 5/1980, 1/1981, 4/1983, 5/1988, 5/1990, 2/1991, 4/1995
Trade Descriptions Ordinance.	Ordinances 2/1988, 17/2000
Trade Marks Ordinance.	Cap.268 (Laws of Cyprus) and Ordinances 1/1963, 21/1991
Transfer of Immovable Property (Dhekelia Sovereign Base Area) (Temporary Provisions) Ordinance.	Ordinances 11/1975, 2/1979
Tree Planting (Village Areas) Ordinance.	Cap.100 (Laws of Cyprus) and Ordinance 15/1972
Value Added Tax Ordinance.	Ordinance 10/2001
Village Obligations Ordinance.	Cap.246 (Laws of Cyprus)
Vine-Growing and Vineyards (Survey and Registration) Ordinance.	Ordinance 6/1964
Vine Industry (Regulation and Control) Ordinance.	Ordinances 10/1965, 7/1971
Water Supply (Special Measures) Ordinance.	Ordinances 14/1964, 8/1965, 6/1975, 15/1991
Weights and Measures Ordinance.	Ordinance 11/1986
Wells Ordinance.	Cap.351 (Laws of Cyprus) and Ordinances 6/1971, 3/1974, 13/1984, 5/1992

19th March 2002  
(128/10/2)

D.J. BONNER,  
Chief Officer.