



**SUPPLEMENT No. 2**  
**TO**  
**THE SOVEREIGN BASE AREAS GAZETTE**  
**No. 1245 of 13th May 2002**  
**LEGISLATION**

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ORDINANCE 13 OF 2002

**AN ORDINANCE**  
**TO PROVIDE FOR THE PRODUCTION AND USE OF**  
**HATCHING EGGS AND POULTRY CHICKS**

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

8th May 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 Hatching Eggs and Chicks (Production and Use) Ordinance 2002.

Short title.

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

Interpretation.

“Authorised Service” means the Authorised Service appointed under section 20 of the corresponding Republican law;

“capacity” in relation to a hatchery means the maximum number of eggs for hatching which may be placed simultaneously in the hatchery’s incubators, excluding hatchers;

“chicks” means live poultry of the species of hen, turkey, duck, goose and guinea fowl which are under 72 hours old, have not yet taken any food, and the weight of which does not exceed 185 grammes and falling within Code C.N. subheadings 01.05.11, 01.05.12 and 01.05.19 of the Customs and Excise Tariff of the following categories -

(a) “utility chicks”, that is to say chicks of one of the following descriptions -

(i) “chicks for the production of meat”, that is to say chicks intended to be fattened and slaughtered before reaching sexual maturity,

(ii) “laying chicks”, that is to say chicks intended to be raised for the purpose of producing eggs for consumption,

(iii) “dual purpose chicks”, that is to say chicks intended to be raised either for laying or for the production of meat;

- (b) “parent stock”, that is to say chicks intended for the production of utility chicks;
- (c) “grandparent stock”, that is to say chicks intended for the production of breeding chicks;

“corresponding Republican law” means Republican Law No.88(I)/1999;

“distinguishing number” means the number of the registration licence of an establishment, allotted by the Authorised Service following an application by the owner;

“eggs for hatching” means eggs of poultry in shell, intended for the production of chicks, falling within Code C.N. subheadings 04.07.00.11 and 04.07.00.19 of the Customs and Excise Tariff, classified according to species, category and type;

“establishment” means an establishment or part of an establishment where any of the following activities is carried on –

- (a) pedigree breeding, that is to say the production of eggs for hatching chicks intended as grandparent stock, parent stock or utility chicks;
- (b) breeding, that is to say the production of eggs for hatching chicks intended as utility chicks;
- (c) hatching, that is to say incubating eggs and hatching and supplying chicks;

“industrial eggs” means eggs of poultry in shell, unsuitable for direct human consumption, including broken, incubated and boiled eggs;

“inspector” means an inspector appointed under section 13;

“order” means an order made under this Ordinance;

“owner” in relation to any establishment includes a person occupying and having charge of it;

“register” means a register kept under section 11;

“regulations” means regulations made under this Ordinance;

“trading” in relation to eggs for incubation or in relation to chicks, means selling, offering for sale, exposing for sale, possessing for the purpose of sale and any other transaction involving the transfer of the possession of eggs for hatching or of chicks, from one person to another.

### 3. - (1) The -

- (a) possession, transport, use, delivery and disposal of eggs for incubation and of chicks; and
- (b) incubation of eggs for hatching,

shall only be permitted in the Areas for the purpose of raising chicks or trading in eggs or chicks if the provisions of this Ordinance are satisfied in relation to the eggs or chicks in question.

(2) For the purposes of subsection (1)(a) above, the expression “use, delivery and disposal” –

- (a) in relation to eggs for incubation includes their possession or display for sale, or their delivery or any other kind of disposal for the purpose of placing the eggs for incubation; and
- (b) in relation to chicks, means their being placed for raising, or their sale or disposal in any other manner for the purpose of raising them for reproduction, meat production, egg laying or dual use.

(3) The provisions of this Ordinance shall not apply in relation to an establishment with fewer than 100 birds or in relation to a hatchery with a capacity of fewer than 1.000 eggs for incubation.

4. - (1) No person shall operate an establishment without a registration licence for such establishment.

Establishments to be licensed:  
Marking and packing.

(2) The owner of an establishment shall –

- (a) mark individually eggs for hatching intended for the production of chicks;
- (b) pack such eggs;
- (c) pack chicks in cases; and
- (d) mark cases containing chicks.

5. - (1) The Authorised Service shall issue a registration licence following an application for the registration of an establishment in a register kept for this purpose, as prescribed by regulations.

Registration licences.

(2) An application for registration of an establishment shall be made by the owner of the establishment.

(3) Any registration licence shall expire on the 31st of December in the year following the year of its issue, unless it is previously revoked. Such licence may be renewed, following an inspection by the Authorised Service ascertaining that the establishment continues to conform to, and the owner continues to fulfil, all the requirements of the Ordinance and the regulations.

(4) Any registration licence may be revoked by the Authorised Service before the date it is expressed to expire, if the holder thereof contravenes any provision of this Ordinance or the regulations, or any of the conditions attaching to the licence.

(5) A person who is operating an establishment on the day that this Ordinance comes into force shall make an application for the registration of the establishment on or within three months after that day.

6. - (1) Eggs for hatching intended for the production of chicks shall be -

Marking of eggs for hatching.

- (a) marked by printing on the eggs for hatching, the distinguishing number of the establishment where they were produced;
- (b) transported in perfectly clean packs, containing only eggs for hatching of the same species, category and type of poultry, originating from the same hatchery and bearing at least the words: “eggs for hatching” or “áõãŸ ðñĩõ âêêüëáøç.”

(2) Eggs for hatching and their packaging which are intended for export to a country which is not a member State of the European Union may bear markings other than those provided for in this Ordinance, provided that such markings cause no confusion with the requirements of this Ordinance or of any other legislation.

(3) Packaging of eggs which are intended for export to a country which is not a member State of the European Union may bear particulars other than those provided for in this Ordinance, provided that such particulars shall cause no confusion with the requirements of this Ordinance.

(4) Eggs for hatching from a country which is not a member State of the European Union shall only be imported if they bear in type at least three millimetres in height and printed on their packaging, at least the name of the country of origin and the words "hatching", or "ἄρνις ἀέτις ἔαος". The packaging shall contain only eggs for hatching of the same species of poultry and bear the following information –

- (a) the indications provided for in subsection (1)(b) above;
- (b) the species of poultry from which the eggs originate;
- (c) the name or business name of the sender or his address.

Packing of chicks.

7. - (1) Chicks shall be packed by species, type and category of poultry in cases which shall contain only chicks originating from the same hatchery and bear the distinguishing number of the hatchery.

(2) Chicks originating in a country which is not a member State of the European Union, shall only be imported if the conditions provided for in subsection 6(1) above are fulfilled in relation to them. The cases shall only contain chicks from the same country of origin, the same sender and shall bear the following indications –

- (a) the name of the country of origin;
- (b) the species of poultry to which the chicks belong;
- (c) the name or business name and address of the sender.

Eggs removed from incubation.

8. - (1) Eggs for hatching which are not marked in accordance with section 6 shall not be placed in an incubator or, if so placed, shall be removed from the incubator.

(2) Incubated eggs which are removed from an incubator under subsection (1) above or for any other reason, shall be used only for purposes other than for human consumption. Where such eggs are used as industrial eggs, their use in the food industry shall not be permitted.

Language of markings.

9. The markings or other indications required under this Ordinance on any eggs, packaging or cases and the particulars required in any accompanying documents, shall be written clearly in the English, Greek, French or German language.

Accompanying documents for imported eggs for hatching and chicks.

10. - (1) Eggs for hatching or chicks shall only be imported into the Areas from a member State of the European Union, if they are accompanied by documents containing the following particulars –

- (a) the trade name and address of the sending establishment and its distinguishing number;
- (b) the number of eggs for hatching or of chicks according to their species, category and type of poultry;

- (c) the date of despatch;
- (d) the name and address of the consignee.

(2) The documents accompanying eggs for hatching and chicks imported from a country which is not a member State of the European Union shall contain the name of the country of origin instead of the distinguishing number of the establishment.

**11. - (1)** Without prejudice to the provisions of any other law, the owner of a hatchery shall keep one or more registers, in which the following particulars shall be entered by species, category (that is to say, grandparent, parent or utility stock) and type (that is to say, for production of meat, laying of eggs or dual purpose) –

Hatchery registers.

- (a) the date on which the eggs are placed in incubation, the number of incubated eggs and the distinguishing number of the establishment in which the eggs for hatching are produced;
- (b) the date of hatching and the number of marketable chicks (of good quality);
- (c) the number of incubated eggs which are removed from the incubators and the names and addresses of their buyers.

(2) The owner of a hatchery shall retain any registers kept under subsection (1) above for a period of at least one year after the last entry in the register.

**12. - (1)** The owner of a hatchery shall notify the Authorised Service, on a monthly basis, of the number of eggs placed in incubation and the number of incubated marketable chicks, by species, category and type.

Notification of information to the Authorised Service.

(2) The statistical data on birds of grandparent or parent stock shall be requested, as required, from establishments of pedigree or breeding poultry, for the purposes of the application of this Ordinance, as regards the standards of production, grading, marking and trading of edible eggs.

**13. - (1)** The Chief Officer shall appoint inspectors for the purposes of the application of this Ordinance and the regulations and orders.

Appointment, powers and duties of inspectors.

(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 and orders, an inspector shall –

- (a) advise the Authorised Service on any application for the granting of a licence, approval, exemption or certificate under this Ordinance and any intended revocation or modification thereof;
- (b) report to the Chief Officer any contravention of the provisions of this Ordinance and advise on the measures to be taken in relation thereto;
- (c) revoke the registration licence of an establishment in the circumstances described in section 5(4);
- (d) 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 and orders.

(2) For the purposes of exercising his powers and performing his duties an inspector may, at any reasonable time and after presenting the certificate showing his capacity –

- (a) inspect any establishment or register thereof for the purposes of this Ordinance;
- (b) mark any bird, or register for the purposes of this Ordinance;
- (c) enter any premises or other place where he has reason to believe that activities are carried out which are regulated by this Ordinance and the regulations and orders;
- (d) visit any places, establishments and poultry breeding premises for the purposes of control and in order to ascertain, if necessary, any contravention of the provisions of this Ordinance and the regulations and orders;
- (e) where he has reason to believe that an offence has been committed under this Ordinance, confiscate any eggs for hatching or any chicks or any other evidence which he believes will be required as evidence in future criminal proceedings.

Confidentiality.

**14.** - (1) The Authorised Service shall take all necessary measures to ensure the confidentiality and anonymity of the information provided in accordance with section 12.

(2) Any person disclosing to another person any information he received in the exercise of his powers or the performance of his duties under this Ordinance, shall commit an offence, unless the disclosure was made –

- (i) in the exercise of any power or the performance of any duty by him or that other person under the provisions of this Ordinance or any other legislation in force in the Areas; or
- (ii) in fulfilment of any international obligations of the Areas; or
- (iii) in relation to the investigation of any criminal offence or for the purposes of any civil or criminal proceedings.

(3) Any person found guilty of an offence under subsection (2) above, shall be liable to a fine not exceeding £400.

Offences.

**15.** Any person who -

- (a) contravenes or fails to comply with any provision of this Ordinance or the regulations or orders;
- (b) intentionally obstructs an inspector in the exercise of his powers or the performance of his duties under this Ordinance and the regulations and orders;
- (c) refuses, when requested, to give his name and address or who gives a false name or address,

shall commit an offence and, on conviction, shall be liable to a fine not exceeding £1.000 or to imprisonment not exceeding six months or to both such penalties. In addition, the court trying the case shall have the power to order the confiscation, destruction or disposal in

any other manner as the court shall decide of any eggs for hatching or any chicks in relation to which the offence was committed.

16. The Administrator may make regulations and orders prescribing any matter which, in accordance with the provisions of this Ordinance needs to be or may be prescribed and generally for the better application of this Ordinance.

Regulations and orders.

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

Commencement.

*8th May 2002*  
(173/19)

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D.J. BONNER,  
Chief Officer.

ORDINANCE 14 OF 2002

**AN ORDINANCE  
TO PROVIDE FOR THE INDICATION OF THE  
CONSUMPTION OF ENERGY AND OTHER RESOURCES  
BY HOUSEHOLD APPLIANCES.**

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

8th May 2002.

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

**PART I**

**PRELIMINARY PROVISIONS**

1. This Ordinance may be cited as the Household Appliances (Indication of the Consumption of Energy and Other Essential Resources) Ordinance 2002.

Short title.

2. In this Ordinance unless the context otherwise requires -

“authorised officer” means any person authorised under section 13;

Interpretation.

“Authorised Service” 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, means 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;

“corresponding Republican law” means Republican Law No.97(I)/2001 and includes any Law amending or substituting that Law;

“dealer” means a retailer or any other person who supplies household appliances to consumers ;

“household appliance” means any household appliance to which this Ordinance applies under section 3;

“information sheet” means a standard table of information relating to the consumption of energy and of other essential resources by a particular domestic appliance;

“label” means the inscription placed on a household appliance relating to its energy consumption, its design and the characteristics of its performance;

“order” means any order made under section 12;

“other essential resources” means water, chemical products or any other substance consumed by a household appliance in normal use;

“supplementary information” means information relating to the performance of a household appliance other than that required by the standard table of information and which concerns or helps to evaluate the consumption of energy or other essential resources of the household appliance;

“supplier” in relation to a household appliance means its manufacturer or his authorised representative in the Island of Cyprus or the importer, or the person who places the household appliance on the market in the Island of Cyprus;

“supply” in relation to a household appliance includes dealing with it by way of sale, hire, hire-purchase agreement, displaying it with the intention of supplying it or offering it as a prize or gift, and cognate expressions shall be construed accordingly.

Household appliances to which this Ordinance applies.

3. This Ordinance applies to the following types of household appliances, as more specifically prescribed by orders, even if such household appliances are supplied otherwise than for household purposes -

- (a) refrigerators, freezers and combinations of these;
- (b) washing machines, driers and combinations of these;
- (c) dishwashers;
- (d) ovens;
- (e) water heaters;
- (f) lighting sources; and
- (g) air-conditioning appliances.

Items to which this Ordinance does not apply.

4. This Ordinance does not apply to -

- (a) the rating plates or their equivalent affixed for safety purposes to household appliances;
- (b) second-hand household appliances; and
- (c) models of household appliances the manufacture of which has ceased before the date that the relevant order which specifically relates to the type of household appliance concerned has come into force.

## PART II

## SUPPLY OF INFORMATION

5. Save in the cases provided for by section 10 and subject to the provisions of any order, the information on the consumption of electric energy, other forms of energy and other essential resources and the supplementary information concerning a household appliance shall be provided to the consumer at the time of the supply to him of the household appliance, by means of an information sheet and label in relation to which the provisions of this Ordinance are fulfilled.

Requirement to provide an information sheet and a label at the time of supply.

6. - (1) For each model of household appliance referred to in section 3 adequate technical documentation shall be established in such manner as to enable the accuracy of the information contained on the label and in the information sheet to be assessed.

Technical documentation.

(2) The technical documentation referred to in subsection (1) above shall include the following –

- (a) the supplier's name and address;
- (b) a general description of the household appliance, sufficient for its identification;
- (c) the results of design calculations carried out, where these are relevant;
- (d) test reports, where available, including those carried out by approved organizations, in accordance with the provisions of the Safety of Low Voltage Electrical Equipment Regulations 2001;
- (e) where values are derived from those obtained for similar models of household appliances, the information provided for such models; and
- (f) directions for use (where available).

P.I. 76/2001.

(3) The technical documentation referred to in subsections (1) and (2) above shall be established by the supplier. The supplier may, to this end, use the technical documentation already required by the Safety of Low Voltage Electrical Equipment Regulations 2001.

(4) The supplier shall keep the technical documentation or a true copy thereof, for a period of at least five years from the date the last model of the specific household appliance has been manufactured and shall make this documentation available to the Authorised Service for inspection purposes.

7. - (1) The supplier shall, when placing a household appliance on the market, cause labels to be provided in compliance with the provisions of this Ordinance and of any orders.

Supplier to provide labels and information sheets.

(2) In addition to the labels, the supplier shall provide a dealer with information sheets containing information about the household appliance. An information sheet shall be contained in each brochure relating to the household appliance. Where brochures are not provided by the supplier, he shall provide the dealer with information sheets and any other type of written information provided with the household appliance.

(3) The labels shall be written in the English or Greek languages.

(4) A supplier shall ensure the speedy delivery of labels whenever such labels are requested by a dealer.

(5) A supplier shall provide such labels free of charge.

(6) A supplier may choose his own system of delivering labels to a dealer.

Supplier's obligations relating to information he provides.

**8. - (1)** A supplier shall be deemed to have given his consent to the publication of the information given on a label or information sheet that he has provided.

(2) A supplier shall be deemed to be responsible for the accuracy of the information given on any labels and information sheets that he provides.

Dealer to attach label to household appliance displayed for sale.

**9.** A dealer who displays for sale household appliances at any place, shall attach to each appliance an appropriate label in a clearly visible position so that such label remains visible and clear and is not concealed.

Distant sales.

**10.** Where any household appliance is offered for sale by mail order, by catalogue or by any other means which implies that a potential consumer will not have had the opportunity to examine the appliance where it is displayed (a distant sale), the dealer shall provide the potential consumer with the essential information specified in the label and the information sheet, before the consumer buys the appliance.

Prohibition on misleading labels etc.

**11. - (1)** It is prohibited to display on a household appliance any label, mark, symbol or inscription relating to energy consumption, in relation to which the provisions of this Ordinance and any orders are not fulfilled and which is likely to cause a mistake or confuse or mislead, as regards the indication of the consumption of energy and other essential resources by the household appliance concerned.

(2) The prohibition provided for by subsection (1) above shall not apply in relation to labels, marks, symbols or inscriptions relating to environmental labelling schemes for the protection of the environment.

### PART III

#### POWERS TO MAKE ORDERS

Power to make orders.

**12. - (1)** The Chief Officer may make orders with regard to the indication of consumption of energy and other essential resources of household appliances referred to in section 3.

(2) Orders under this section may prescribe any of the following matters -

- (a) the precise specifications for any description of household appliance;
- (b) the standards and the methods of calculation used to obtain the information relating to the consumption of energy and other essential resources and any additional information;
- (c) details concerning the technical documentation required under section 6;
- (d) the design and content of labels;
- (e) the place where labels are to be attached;

- (f) the content and where necessary the form and other details relating to the information sheet or other information referred to in section 7(2);
- (g) the information which shall be provided where household appliances are offered by way of distant sales and the manner in which such information is to be provided;
- (h) any other thing that the Chief Officer may deem necessary.

#### PART IV

### POWERS AND DUTIES OF THE AUTHORISED SERVICE AND AUTHORISED OFFICERS

13. The Chief Officer may, by notice to be published in the Gazette, authorise persons to act as authorised officers for the purposes of this Ordinance and the orders.

Authorisation of officers.

14. - (1) An authorised officer may, at any reasonable time and on the presentation of a certificate showing his capacity, if requested to do so, exercise any of the following powers –

Checks on accuracy of information.

- (a) enter any premises or any other place and inspect any household appliances offered for sale at such premises or place;
- (b) carry out the necessary controls, examinations and tests in respect of any household appliance in relation to which he reasonably suspects that a contravention of any provision of this Ordinance or the orders has occurred;
- (c) where necessary, remove the household appliance in question to a place suitable for the carrying out of controls, examinations or tests and retain the household appliance there:

Provided that the period for which a household appliance may be retained under this paragraph shall not exceed such period as is reasonably needed to carry out controls, examinations or tests, as the case may be.

(2) Where an authorised officer has reason to suspect that the information relating to the indication of the consumption of energy and other essential resources of a household appliance contained on the relevant label or the information sheet is inaccurate and misleading, he may require the supplier of the household appliance to deliver or provide to him a copy of any evidence, including the technical documentation referred to in section 6, which is necessary to ascertain the accuracy of such information.

(3) The Authorised Service may, whenever there is reasonable cause to suspect that the information contained in a label and information sheet is inaccurate, require the supplier to prove the accuracy of such information.

15. Where a household appliance is subjected to a control, examination or test under section 14, the Authorised Service or the authorised officer (as the case may be) shall, within a reasonable time, inform the person whose appliance is being retained about the results of the control, examination or test.

Results of checks to be disclosed to owner.

Reimbursement of  
Authorised  
Service's  
expenses.

**16. - (1)** Where an administrative fine is imposed under section 17 for a contravention of any of the provisions of this Ordinance or any orders in relation to any household appliance the Authorised Service shall, in addition to the administrative fine, require the person on whom the administrative fine has been imposed, to reimburse any expenses that it has incurred or is likely to incur in relation to any retention of the household appliance by or on behalf of the Authorised Service.

(2) The reimbursement of any expenses required under subsection (1) above shall become payable on the serving of a detailed confirmation of the expenses, when the administrative fine is imposed and shall be collected in accordance with the provisions of section 18(4) and (5).

## PART V

### IMPOSITION OF ADMINISTRATIVE FINES

Imposition of  
administrative  
fines by  
Authorised  
Service.

**17. - (1)** The Authorised Service shall have the power to impose an administrative fine not exceeding £5.000, where it ascertains a contravention of any provision of this Ordinance or any order. In the case of a second or subsequent contravention, the Authorised Service shall have the power to impose a fine not exceeding £10.000.

(2) An administrative fine on an offender shall be imposed on the basis of a reasoned decision of the Authorised Service after having heard the views of the interested parties or after having given them the opportunity to express their views.

(3) The amount of the administrative fine to be imposed in each case shall be determined in accordance with indicative directions of the Chief Officer in which there shall be contained the basic contraventions and the respective administrative fines. Subject to such directions, the Authorised Service may impose such administrative fine as it considers appropriate in the circumstances of any particular case.

Appeals against  
and recovery of  
administrative  
fines.

**18. - (1)** The decision to impose an administrative fine under section 17 may be disputed by appeal to the Administrator. An appeal shall be made in writing and within a period of 30 days from the service of notice of the imposition of an administrative fine.

(2) The Administrator shall examine and decide on the appeal, in accordance with subsection (3) below, having heard the interested parties or having given them the opportunity to express their views.

(3) On an appeal, the Administrator may make one of the following decisions -

- (a) confirm the decision which is being appealed against;
- (b) cancel the decision which is being appealed against;
- (c) alter the decision which is being appealed against;
- (d) replace the decision which is being appealed against by a new decision.

(4) The amount of an administrative fine shall be collected by the Authorised Service within the period of seventy five days from the date the decision to impose such fine was notified or, in the case of an appeal to the Administrator under subsections (1) to (3) above, from the date that the decision of the Administrator on such appeal has been notified.

(5) In any case of a failure by any person to pay an administrative fine imposed by the Authorised Service under this Ordinance, the Authorised Service shall take legal proceedings to collect the amount due as a civil debt owed to the Administration.

**PART VI**

**CRIMINAL OFFENCES**

19. Any person who -

- (a) intentionally obstructs an authorised officer acting in accordance with the provisions of this Ordinance; or
- (b) intentionally fails to comply with any requirement imposed on him by an authorised officer under any provision of this Ordinance; or
- (c) without reasonable cause, fails to give to an authorised officer any other help or information which the officer may reasonably require for the purpose of discharging his duties in accordance with this Ordinance; or
- (d) in giving any information knowingly makes a false statement,

Offences of obstructing etc. an authorised officer.

shall commit a criminal offence and shall be liable, on conviction, to imprisonment not exceeding three months or to a fine not exceeding £1.000 or to both such penalties.

**PART VII**

**MISCELLANEOUS PROVISIONS**

20. The Authorised Service may publish information and advice relating to the application of this Ordinance and any orders in order to encourage the economical use of energy by consumers.

Authorised Service may publish information.

21. This Ordinance shall come into force on such day as the Administrator shall publish by notice in the Gazette.

Commencement.

8th May 2002  
(173/16A)

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D.J. BONNER,  
Chief Officer.

