



**SUPPLEMENT No. 2**  
**TO**  
**THE SOVEREIGN BASE AREAS GAZETTE**  
**No. 1395 of 7th November 2005**  
**LEGISLATION**

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**ORDINANCE 28 OF 2005**

**AN ORDINANCE**  
**TO REGULATE THE GRANTING OF LICENCES FOR**  
**GAMES MACHINES AND FOR AMUSEMENT MACHINES**  
**AND FOR RELATED MATTERS**

**P. T. C. Pearson CBE**  
**ADMINISTRATOR**

*3rd November 2005.*

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

**PART I**  
**INTRODUCTORY PROVISIONS**

**1.** This Ordinance may be cited as the Games and Amusement Machines Ordinance 2005. Short title.

**2.** In this Ordinance, unless a contrary intention appears— Interpretation.

“amusement machine” means a machine which—

- (a) is not a games machine;
- (b) is intended only for the amusement of any person playing it and offers him no gain or other reward; and
- (c) once it is being operated it is not possible to extend the length of time of its operation;

“corresponding Republican Law” means the Gaming and Amusement Machines Law of the Republic as amended from time to time;

Republican  
Law No.  
32(I)/1996.

“games machine” means a machine which —

- (a) is not an amusement machine;
- (b) is intended only for the amusement of any person playing it and offers him no gain or other reward; and

- (c) requires the exercise of skill by the player in playing it;
- “licence” means a licence granted under this Ordinance;
- “licensed premises” means premises in relation to which a licence is in force;
- “premises” includes any building and its grounds and any open space which is generally open to the public.

**PART II  
CONTROLS RELATING TO PREMISES, GAMES  
MACHINES AND AMUSEMENT MACHINES**

Scope of Ordinance.

**3.** This Ordinance does not apply in relation to any games machine or amusement machine which is kept solely for private use.

Restrictions on the provision of games machines.

**4.** A person shall not provide for play a games machine unless the machine—

- (a) can only be operated by the insertion into it of a coin which is legal tender in the Areas; and
- (b) gives a player who plays a game successfully the opportunity to play without payment no more than three times the number of games which can be played on the machine with the insertion of a single coin.

Registration certificate required in order to provide a games or amusement machine for play.  
First Schedule.

**5.—(1)** A person shall not provide for play a games machine or an amusement machine, unless he holds a registration certificate in respect of the machine.

(2) The registration certificate in respect of any games machine or amusement machine shall be granted by the Area Officer and shall be in the form set out in the First Schedule.

First Schedule.

(3) A person to whom a registration certificate has been granted shall maintain a register of each games machine and each amusement machine in his possession, recording the serial number allocated to each such machine by the Area Officer in accordance with the form set out in the First Schedule, and shall record in the register details of any such machine removed from his premises and the name and address of the person to whom he supplies any such machine.

(4) The holder of the registration certificate relating to a games machine or an amusement machine shall not supply the machine to any person who does not have a licence authorising him to hold such a machine, or to any premises in respect of which there is no licence which authorises the presence of the machine at those premises.

Third Schedule.

(5) On the transfer of a games machine or amusement machine to a new owner the Area Officer shall, on payment of the fees provided for in the Third Schedule, endorse the particulars of the new owner on the registration certificate relating to the machine

Licence for a games machine or an amusement machine.

**6.—(1)** A person shall not have in his possession, or make available for play, or permit the playing of, any games machine or amusement machine at any premises unless he holds a licence which authorises him to provide that machine for play on those premises.

Second Schedule Part A.

(2) A licence to provide a games machine or an amusement machine for play shall be issued by the Area Officer and shall be in the form set out in Part A of the Second Schedule.

(3) A licence to provide a games machine or an amusement machine for play expires on 31st December of the year in which it is issued and shall be returned to the Area Officer by no later than 31st January of the following year.

(4) A licence shall not be required under this section in relation to a games machine or an amusement machine held by a community council or by an organisation which, to the satisfaction of the Area Officer, is a welfare organisation.

7. The Area Officer shall not issue a licence for the provision of a games machine or an amusement machine, unless he is satisfied that—

Conditions for issue of licence.

- (a) the applicant is of good character and a fit and proper person to hold such a licence or is already the holder of a licence to sell alcoholic drinks by retail;
- (b) the applicant is over 21 years of age;
- (c) the premises at which the applicant intends to provide the machine for play are suitable for the purpose;
- (d) the games machine or amusement machine concerned has been inspected by a suitably qualified engineer who has certified that it is safe for players to play it; and
- (e) the games machine or amusement machine is registered as required by this Ordinance.

8.—(1) A person having charge of any licensed premises shall not allow a child under the age of 12 years to enter those premises or to play any games machine or amusement machine on those premises unless the child is accompanied by an adult who is responsible for him.

Restrictions on children.

(2) Subsection (1) above does not apply—

- (a) in relation to a child playing a games machine or amusement machine provided at a hotel or similar establishment at which the child is staying; or
- (b) if, on the application of the person having charge of the licensed premises the Area Officer considers that such premises are not being used exclusively for the operation of any games machine or amusement machine.

9. A person having charge of any licensed premises shall not permit the playing of a games machine or of an amusement machine at any premises at any time other than at a time when the premises concerned are open for business.

Restriction on the times that games or amusement machines may be played.

10.—(1) Subject to subsection (2) below, the Area Officer may grant a person a fairs licence authorising him to provide for play a games machine or an amusement machine at a fair or a similar event whether the fair or similar event is held in enclosed premises or in an open space.

Fairs licence.

(2) A fairs licence shall be in the form set out in Part B of the Second Schedule, and shall specify the days (which may not exceed 7 days in total) for which it is valid, and the premises or open space at which the games machines or amusement machines to which the fairs licence relates are to be provided for play.

Second Schedule Part B.

**PART III**  
**GENERAL PROVISIONS**

Provisions as to  
licences.

**11.—**(1) A licensee shall display his licence in a conspicuous place at the premises to which his licence relates.

(2) The fee paid for the issue of a licence is not refundable by reason of the fact that the licensee has ceased trading or that his business has failed or that his licence has been revoked or that his premises have closed for any other reason whatsoever.

(3) Subject to subsection (4) below, a licence is not transferable.

(4) If a licensee dies, the Area Officer may, on the application of the heir of the deceased licensee, transfer the licence to the heir and shall endorse the licence accordingly. The Area Officer may transfer a licence under this subsection only if he is satisfied that the heir concerned is a fit and proper person to hold such a licence. There shall be no fee payable for such a transfer and the transferred licence shall be valid until the date that it would have expired when it was granted to the deceased licensee.

Authorisation for  
another person to  
act on licensee's  
behalf.

**12.** With the approval in writing of the Area Officer, and subject to such conditions as he may impose, but without prejudice to paragraphs (a) and (b) of section 7, a licensee may authorise another person to act on his behalf in relation to the provision for play of games machines or amusement machines. In such a case—

(a) the licensee's licence must be endorsed with the name of the authorised person and the fee specified in Part D of the Third Schedule must be paid; and

(b) the licensee and the authorised person shall each be liable for any contravention of this Ordinance or of any regulations made under it relating to the licence.

Regulations.

**13.—**(1) The Administrator may make regulations in relation to any matter which may be prescribed or which requires to be regulated.

(2) In particular, and without prejudice to the generality of subsection (1) above, such regulations may provide for the determination of the forms to be used for the purposes of this Ordinance and for the fees which are payable for the issue of any licence.

First Schedule.  
Second Schedule.  
Third Schedule.

(3) Subject to any regulations made under this section, the forms set out in the First and Second Schedules shall be used and the fees specified in the Third Schedule shall be payable.

Holding  
registration  
certificate under  
corresponding  
Republican Law.

**14.—**(1) Where any person does any act or thing for which there is a requirement for him to hold a registration certificate under this Ordinance, that requirement shall be deemed to be fulfilled if he holds a registration certificate issued to him under the corresponding Republican Law and he does that act or thing in accordance with any conditions subject to which that licence was issued to him.

(2) A person who does, or appears to intend to do any act or thing for which he is required to hold a registration certificate under this Ordinance shall produce such registration certificate for inspection if required to do so by the Area Officer or a police officer.

(3) Where a person who has been required to produce a licence as described in subsection (2) above refuses or fails to do so, he shall be guilty of an offence.

**PART IV  
CRIMINAL OFFENCES**

**15.—(1)** Any licensee who –

Offences.

- (a) allows any person under the age of 12 years otherwise than in accordance with section 8(2), to be present at his licensed premises at a time when the premises are open for business;
- (b) allows any person to act in a violent, argumentative or provocative manner in his licensed premises;
- (c) uses, or allows others to use, a games machine or an amusement machine, for gaming or any other means of gambling or betting;
- (d) contravenes any condition of his licence; or
- (e) contravenes any provision of this Ordinance or of any regulations made under it,

is guilty of an offence and is liable on conviction to imprisonment for a period not exceeding 6 months or to a fine not exceeding £500 or to both such penalties and the Court may, in addition to any other penalty imposed, order the confiscation of the machine in respect of which the offence was committed and the revocation of the licensee's licence.

(2) Any person who contravenes section 4, 5 or 6(1) is guilty of an offence and on conviction is liable to imprisonment for a period not exceeding 2 years or to a fine not exceeding £1,000 or to both such penalties and the Court may, in addition to any other penalty it may impose, order the confiscation of any machine in respect of which the offence was committed.

(3) Any person who contravenes section 14(3) is liable, on conviction, to imprisonment for a period not exceeding 6 months or to a fine not exceeding £500 or to both such penalties.

**16.** Where a licensee is convicted of an offence under the Betting Houses, Gaming Houses and Gambling Prevention (Consolidation) Ordinance 1985 or under the Sale of Intoxicating Liquors Ordinance, the Court may, in addition to any other penalty which it may impose for the offence, revoke any licence issued to the offender under this Ordinance.

Revocation of licence by the Court Ordinance 10/85, amended by Ordinance 1/96; Cap. 144 (Laws of Cyprus) as amended by Ordinances 21.63, 8/66, 7/85 and 24/99.

**17.** The Area Officer may revoke a licence if—

Revocation of licence by the Area Officer.

- (a) the licensee has ceased to provide games machines or amusement machines for play at the premises to which the licence relates; or
- (b) the licensee repeatedly fails to fulfil his obligations under this Ordinance;
- (c) the manner in which persons resorting to the premises conduct themselves there is such as to cause a nuisance to members of the public; or
- (d) the condition of the licensed premises or of the games machines or amusement machines at those premises poses a threat to the safety of persons resorting to those premises; or
- (e) the requirements of section 4 or 5 are not met or cease to be met by the licensee.

Order for suspension of operation of premises etc.

**18.** If the Judge's Court is satisfied that there are reasonable grounds for suspecting that any licensed premises or any games machines or amusement machines at any licensed premises are provided or used in a manner contrary to the provisions of this Ordinance or that the condition of any licensed premises or of any games machines or amusement machines at any licensed premises poses a threat to the safety of any person, the Court may, on an ex parte application by the Area Officer, order the suspension of the operation or use of the licensed premises or of the games machines or amusement machines at those premises for such period and on such terms as may be specified in the order.

Power to enter licensed premises.

**19.—(1)** Any police officer or any person authorised by the Area Officer may enter licensed premises at any working hour and carry out checks for the purpose of ensuring that the provisions of this Ordinance are being complied with.

(2) Any person who obstructs a police officer or any authorised persons in the execution of his powers under subsection (1) above is guilty of an offence and is liable to the penalties provided for in section 15(1).

Compounding of offences.

**20.—(1)** Subject to subsection (2) below, the Area Officer may compound any offence committed contrary to any provision of this Ordinance or of any regulation made under it, on payment by the person reasonably suspected of having committed the offence, of such amount (not exceeding the maximum fine which a Court could impose for the offence) as the Area Officer may require.

(2) The Area Officer may not compound any offence under subsection (1) above on more than one occasion with the same person.

Review of Area Officer's decision by the Chief Officer.

**21.** Any person who—

- (a) has been refused the grant, renewal or amendment of a licence by the Area Officer; or
- (b) has had his licence revoked by the Area Officer; or
- (c) disagrees with the need for any condition imposed in relation to his licence by the Area Officer,

may, within 21 days from the date of the notification to him of the relevant decision of the Area Officer, apply to the Chief Officer in writing for a review of the Area Officer's decision, giving his reasons for disputing that decision.

Commencement.

**22.** This Ordinance comes into force on the day of its publication in the Gazette.

**FIRST SCHEDULE**  
(Sections 5(2) and (3) and 13(3))  
**THE GAMES AND AMUSEMENT MACHINES**  
**ORDINANCE 2005**

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**REGISTRATION CERTIFICATE FOR GAMES MACHINES**  
**AND AMUSEMENT MACHINES**

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1. Name of Registration Certificate Holder: .....  
Identity Card No: .....
2. Address of Registration Certificate Holder: .....  
Tel. No. : .....
3. Address of premises: .....  
.....  
Tel. No.: .....
4. Type of machine: .....  
Description (*name and other characteristics*): .....  
.....
5. Fees: .....
6. Serial Number: .....  
.....

Date of issue

Area Officer

.....  
(Stamp)

.....

**SECOND SCHEDULE**

(Sections 6(2), 10(2) and 13(3))

**PART A**

**THE GAMES AND AMUSEMENT MACHINES  
ORDINANCE 2005**

**LICENCE FOR THE PROVISION OF GAMES MACHINES  
AND AMUSEMENT MACHINES**

- 1. Name: .....  
Identity Card No: .....
  - 2. Address of premises: .....  
Tel. No.: .....  
Area: Rural/Urban
  - 3. Address for correspondence (*If different from 2 above*):.....  
.....  
.....  
Tel. No.: .....
  - 4. Number of machines and fees: .....
    - (a) Games machines:                    number ..... fees .....
    - (b) Amusement machines:
      - (i) for 1 or 2 players                    number ..... fees .....
      - (ii) for 3 to 10 players:                number ..... fees .....
      - (iii) for more than 10 players:        number ..... fees .....
- TOTAL:** .....

5. This licence expires on 31<sup>st</sup> December in the year of its issue and must be returned to the Area Officer by 31<sup>st</sup> January of the following year.

Date of issue

Area Officer

.....  
(Stamp)

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**PART B**

**THE GAMES AND AMUSEMENT MACHINES  
ORDINANCE 2005**

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**FAIRS LICENCES**

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1. Name: .....
- Identity Card No: .....
2. Address of licensee: .....
3. Place where the games and amusement machines are to be provided for play: .....
- .....
- .....
4. Duration of this licence:  
From: ..... To: .....
- (both dates inclusive)*
5. Number of machines and fees:
  - (a) Games machines:                      number ..... fees .....
  - (b) Amusement machines:
    - (i) for 1 or 2 players                      number ..... fees .....
    - (ii) for 3 to 10 players:                      number ..... fees .....
    - (iii) for more than 10 players:                      number ..... fees .....

**TOTAL:** .....

Date of issue

Area Officer

.....  
(Stamp)

.....

**THIRD SCHEDULE**  
(Sections 5(5), 12(a) and 13(3))

**THE GAMES AND AMUSEMENT MACHINES  
ORDINANCE 2005**

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**FEEs**

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**PART A**

**FEE FOR ISSUE OF REGISTRATION CERTIFICATE**

£30 for each machine entered in the register.

**PART B**

**FEEs FOR LICENCE TO PROVIDE MACHINES  
FOR PLAY**

**I. Urban area:**

- (a) Licence for a games machine:  
£30 annually for each machine.
- (b) Licence for an amusement machine:
  - (i) £10 annually for each machine for 1 or 2 players.
  - (ii) £20 annually for each machine for 3 to 10 players.
  - (iii) £40 annually for each machine for more than 10 players.

**II. Rural area:**

Half of the fees payable for an urban area.

If a licensee fails to notify the Area Officer by no later than 15<sup>th</sup> December of any year of his intention not to renew his licence or to reduce the number of machines for which he requires a licence, he shall be liable to pay the fees for the whole of the following year in respect of the number of machines to which his expiring licence relates.

If the identity of a licensee is changed and the Area Officer is of the opinion that that change was made in order to avoid the effect of the preceding paragraph, he may refuse to renew the new licensee's licence.

**PART C**

**FEES FOR FAIRS LICENCES**

- (a) Licence for a games machine:  
£6 per day.
- (b) Licence for an amusement machine:
  - (i) £3 per day for each machine for 1 or 2 players.
  - (ii) £6 per day for each machine for 3 to 10 players.
  - (iii) £9 per day for each machine for more than 10 players.

**PART D**

**FEE FOR ENDORSING A LICENCE WITH THE  
NAME OF A PERSON AUTHORISED TO ACT  
ON BEHALF OF THE LICENSEE**

A fee of £10.

**PART E**

**FEE FOR ENDORSING A LICENCE WITH THE  
NAME OF THE TRANSFEREE OF THE LICENCE**

A fee of £10.

*4th November 2005*  
(128/179)

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P. D. Draycott  
Chief Officer.

