



**SUPPLEMENT No. 2**  
**TO**  
**THE SOVEREIGN BASE AREAS GAZETTE**  
**No. 1671 of 21st November 2012**  
**LEGISLATION**

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**THE ANTIQUITIES (AMENDMENT) ORDINANCE 2012**

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An Ordinance to amend the Antiquities Ordinance 1975

**G. E. STACEY**  
**ADMINISTRATOR**

*20th November 2012.*

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

**1. Short title, commencement and interpretation**

- (1) This Ordinance may be cited as the Antiquities (Amendment) Ordinance 2012 and comes into force on 10 December 2012.
- (2) In this Ordinance “the principal Ordinance” means the Antiquities Ordinance 1975**(a)**.

**2. Amendments to the principal Ordinance**

The principal Ordinance is amended in accordance with sections 3 to 8.

**3. Amendment to section 2 (interpretation)**

In section 2 insert in the appropriate alphabetic places—

““detection equipment” means detection and prospecting equipment which, for the purpose of discovering an antiquity, an archaeological deposit, a wreck or any other object resulting from human activity,—

- (a) measures natural features including, but not limited to, electrical resistance, susceptibility, density and temperature; or
- (b) investigates the subsoil, the bed of a river, the bed of a lake or the bottom of the sea;”;

““metal detector” means equipment which is capable of detecting one or more types of metal in the soil, subsoil, the bed of a river, the bed of a lake, the bottom of the sea, a swamp or a building;”.

**4. Amendment to section 4 (antiquities accidentally discovered by unlicensed persons to be delivered to the Area Officer or other authorised person)**

In section 4(3) for—

- (a) “one year” substitute “3 years”;
- (b) “three hundred pounds”**(b)** substitute “€30,000”.

## 5. Amendment to section 10 (offences)

Section 10(6) is repealed and the following subsections substituted—

- “(6) Subject to subsection (7), a person—
  - (a) must have permission in writing from the Chief Officer to possess detection equipment or a metal detector; and
  - (b) may use detection equipment or a metal detector only in an area designated by the Administrator by an Order made as a public instrument.
- (7) Subsection (6) does not apply to the possession or use of detection equipment or a metal detector—
  - (a) in the course of duty, by a public officer, a member of Her Majesty’s Forces or a person in the service of or holding office under the Crown in right of the United Kingdom; or
  - (b) by a person (“P”) in the course of P’s profession, where the burden of proof that possession or use is in the course of P’s profession is on P.
- (8) A person who contravenes subsection (6) commits an offence and is liable on conviction to a term of imprisonment not exceeding 3 years or to a fine not exceeding €30,000, or to both such penalties.”.

## 6. Amendment to section 32 (regulations)

After section 32(1)(i) insert—

- “(j) for regulating the sale, purchase, licensing and use of detection equipment and metal detectors;”.

## 7. Insertion of new section 32A (delegation of functions to the Republic)

After section 32 insert the following section—

### “32A. Delegation of functions to the Republic

- (1) The functions placed on the Administrator, the Chief Officer and an Area Officer in this Ordinance are general delegated functions for the purpose of the Delegation of Functions to the Republic Ordinance 2007(c).
- (2) Subsection (1) does not apply to—
  - (a) section 6 (notice given by Chief Officer and power of Administrator to declare ancient monuments);
  - (b) section 8(5) (transfer of monuments vested in the Crown to the Republic);
  - (c) section 10(6)(b) (designation of an area where detection equipment and metal detectors may be used);
  - (d) section 11(1) (in relation to the publication of a notice in the Gazette to control the erection of buildings etc. in the neighbourhood of ancient monuments);
  - (e) section 12 (compulsory acquisition of land in the proximity of ancient monument);
  - (f) section 17 (compulsory acquisition of land in connection with excavations); and
  - (g) section 32 (regulations).”.

## 8. Substitution of Schedules 1 and 2

- (1) Schedule 1 is repealed and substituted with Schedule 1 to this Ordinance; and
- (2) Schedule 2 is repealed and substituted with Schedule 2 to this Ordinance.

## 9. Revocations

The instruments set out in Schedule 3 are revoked.

## SCHEDULE TO BE SUBSTITUTED FOR SCHEDULE 1 TO THE PRINCIPAL ORDINANCE

## “SCHEDULE 1

## PART 1

## ANCIENT MONUMENTS: PROPERTY OF THE REPUBLIC

**Akrotiri Sovereign Base Area**

Item	Ancient Monument	Village	Declaration Code	Reference to Survey Plans <sup>(1)</sup>		
				Sheet	Plan	Plot
1.	The Sanctuary of Apollo at Curium	Episkopi	427-2-12/1975	LVIII	3	2/2
2.	The Stadium at Curium	Episkopi	427-2-12/1975	LVIII	4	1/2
3.	Such part of the site and remains at Curium as is situated on land owned by the Republic	Episkopi	427-2-12/1975	LVIII	4	52/5 52/4 57/1 60 4/3/1 46/2 46/3 45/1 4/1/3/2
4.	The ancient cemetery of Ayios Ermoyenis	Episkopi	427-2-12/1975	LVIII	4	62/1/2 62/2/2
5.	Such parts of the site and remains of the ancient settlement at the locality of “Phaneromeni” as is situated on private property	Episkopi	641-3-1/1982	LVIII	5	253/2
6.	Such part in the area of the ancient city of Curium at the locality “Ayrani”	Episkopi	881-3-18/1990	LVIII	4	46/1/2/1/2 46/1/2/2/2
7.	Such parts of the site and remains of the Apollo Hylates Sanctuary as are situated within the Episkopi State Forest	Episkopi	1315-3-117/2003	LIII & LVIII	59 & 3	4 (parts)

<sup>(1)</sup> The survey plan references are the references at the date the site was declared an ancient monument, and do not reflect any subsequent changes made by the Republic’s Lands and Surveys Department.

**Dhekelia Sovereign Base Area**

Item	Ancient Monument	Village	Declaration Code	Reference to Survey Plan <sup>(1)</sup>		
				Sheet	Plan	Plot
1.	The Watch Tower at Cape Pyla and site	Xylophagou	495-3-21/1978	XLII	33	82/2

<sup>(1)</sup> The survey plan reference is the reference at the date the site was declared an ancient monument, and do not reflect any subsequent changes made by the Republic’s Lands and Surveys Department.

## ANCIENT MOUNUMENTS: PROPERTY OF THE CROWN

## Akrotiri Sovereign Base Area

Item	Ancient Monument	Village	Declaration Code	Reference to Survey Plans <sup>(1)</sup>		
				Sheet	Plan	Plot
1.	Such part of the site and remains of Curium as is situated on Crown land	Episkopi	427-2-12/1975	LVIII	4	4/1/3/1 5/2 53/3 52/1
2.	Such part of the Stadium at Curium as is situated on Crown land	Episkopi	427-2-12/1975	LVIII	4	1/1
3.	Remains of Graeco-Roman settlement at locality "Kato Katalymata"	Akrotiri	427-2-12/1975	LVIII	56	1/2
4.	Remains of Graeco-Roman settlement at locality "Pano Katalymata"	Akrotiri	427-2-12/1975	LVIII	56	1/3
5.	Rock-cut chambers at locality "Lania"	Akrotiri	427-2-12/1975	LVIII	56	1/4
6.	Such parts of the site and remains of the carved hermitages of the early mid-Byzantine era on the cliffs of Episkopi Bay, as are situated within the Minor State Forest of Episkopi	Episkopi	1419-3-37/2006	LVIII	3	2
7.	Such parts of the site and remains of the Roman and early-Christian settlement at the location Katalimata ton Plakoton, as are situated within the Minor State Forest of Akrotiri	Akrotiri	1419-3-38/2006	LVIII	54	1
8.	Such parts of the site and remains of the Roman bridge and paved way, as are situated within the boundaries of a registered public road, at the Latsidhia location	Episkopi	1419-3-39/2006	LIII	59 & 60	6 & 266
9.	The remains of a late Roman/early Christian settlement at the site of Shiliastasia	Akrotiri	1638-3-34/2011	LIX	49	1
10.	The remains of a late Roman/early Christian settlement at the site of Arkosikia	Akrotiri	1638-3-34/2011	LIX	49	1
11.	The remains of a late Roman/early Christian settlement at the site of Agios Markos	Akrotiri	1638-3-34/2011	LVIII	55	1
12.	The remains of the early Christian basilica of Agia Iphigenia at the site of Agia Phinia	Akrotiri	1638-3-34/2011	LVIII	62	2

13.	The remains of a Roman structure at the site of Vromonera 2	Akrotiri	1638-3-34/2011	LIX	41	2
14.	The medieval bridge close to the Akrotiri Salt Lake	Akrotiri	1638-3-34/2011	LVIII	30	33

<sup>(1)</sup> The survey plan references are the references at the date the site was declared an ancient monument, and do not reflect any subsequent changes made by the Republic's Lands and Surveys Department. ”.

SCHEDULE 2

Section 8(2)

SCHEDULE TO BE SUBSTITUTED FOR SCHEDULE 2 TO THE PRINCIPAL ORDINANCE

“SCHEDULE 2

Section 8(1)

OTHER ANCIENT MONUMENTS

**Akrotiri Sovereign Base Area**

Item	Ancient Monument	Village	Declaration Code	Reference to Survey Plans <sup>(1)</sup>		
				Sheet	Plan	Plot
1.	Such part of the ancient city of Curium as is situated on private property	Episkopi	427-2-12/1975	LVIII	4	6/2/1
2.	Such part of the site and remains of Curium as is situated on private property	Episkopi	427-2-12/1975	LVIII	4	4/1/2 4/2 4/4 45/2/1 46/1/1/1 46/1/1/2 46/1/2/1 46/1/2/2/1 55/3 58 59 61/1 62/1/1/2 62/1/1/3
3.	The Church and other remains of the Monastery of St. Nicholas of the Cats	Akrotiri	427-2-12/1975	LVIII	48	4
4.	Such parts of the site and remains of Curium as are situated on private property	Episkopi	468-3-27/1977	LVIII	4	4/1/1 5/1/1 6/1/1 6/3 (part) 7 9/1 (part) 9/2 (part) 10 (part) 35/1/1 38/1/1 42 (part) 43/1 44/1 47-50 51/1 51/2 51/3 51/4 53 54/1

						54/2 55/1 55/2 56 57/2 61/2 62/1/1/1/1 62/2/1 63/1 63/2 64-71
5.	Such parts of the sites and remains of the ancient settlements at the localities “Pamboula” and “Phaneromeni” as are situated on private property	Episkopi	468-3-27/1977	LVIII	5	245/1/1/1 (part) 245/1/2 (part) 245/1/3 (part) 246/2 (part) 246/4 (part) 247/1 (part) 247/2 (part) 248 (part) 249 (part) 250/1 250/2 251 252/1 252/2 253/1 (part) 254
6.	Ayios Ermoghenis Church	Episkopi	965-3-46/1992	LVIII	4	62/1/1/1
7.	The Church of St. George at Symvoula	Sotira	1026-3-46/1994	LIII	58	50
8.	The Church of St. George	Akrotiri	1026-3-46/1994	LVIII	38	2
9.	The Basilica at Curium Beach	Episkopi	1113-3-58/1997	LVIII	4	46/1/2/2/1
10.	The Church of St. Demetrianos	Akrotiri	1128-3-27/1998	LVIII	21	59/5/2
11.	The Church of Panayia Galousa	Akrotiri	1128-3-27/1998	LVIII	22	128
12.	The Church of Panayia Kyparissiotissa	Kolossi	1128-3-27/1998	LVIII	6	253
13.	The remains of the medieval channel named Ktista at the site of Lishina	Akrotiri	1638-3-34/2011	LIX	33	9
14.	The remains of an archaic sanctuary at the site of Anthropos	Akrotiri	1638-3-34/2011	LVIII	48	14

<sup>(1)</sup> The survey plan references are the references at the date the site was declared an ancient monument, and do not reflect any subsequent changes made by the Republic’s Lands and Surveys Department.

### Dhekelia Sovereign Base Area

Item	Ancient Monument	Village	Declaration Code	Reference to Survey Plans <sup>(1)</sup>		
				Sheet	Plan	Plot
1.	The Church of Panayia Trasha	Akhna	468-3-27/1977	XXXII	54.E.2	469
2.	The Church of Ayia Marina	Xylotymbou	468-3-27/1977	XLI	60.E.2	57
3.	The Church of Ayios Vassilios	Xylotymbou	468-3-27/1977	XXXII	60.E.2	149



4.	Such parts of the sites and remains of the ancient settlements at the localities “Vikla” and “Koutsopetra” as are situated on private property	Pyla	468-3-27/1977	XLI	19	87 93 94/1 94/2 94/3 96-104 106-112 113/1 113/2 114 115 116/1 116/2 117 118 119/1 119/2 120 121/1/1/1 121/1/1/2 121/2/1/1 121/2/2 125/2
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<sup>(1)</sup> The survey plan references are the references at the date the site was declared an ancient monument, and do not reflect any subsequent changes made by the Republic’s Lands and Surveys Department. ”.

### SCHEDULE 3

### Section 9

#### REVOCATIONS

Item	Title of instrument	Public instrument number
1.	Order under section 6(1)(a)	27/1977
2.	Order under section 6(1)(c)	21/1978
3.	Order under section 6(1)(b)	1/1983
4.	Order under section 6(1)(b)	18/1990
5.	Notice under section 6(2)	30/1992
6.	Order under section 6(1)(a)	46/1992
7.	Notice under section 6(2)	39/1994
8.	Order under section 6(1)(a)	46/1994
9.	Notice under section 6(2)	48/1997
10.	Order under section 6(1)(a)	58/1997
11.	Notice under section 6(2)	17/1998
12.	Order under section 6(1)(a)	27/1998
13.	Notice under section 6(2)	93/2003
14.	Order under section 6(1)(a)	117/2003
15.	Notice under section 6(2)	26/2006
16.	Notice under section 6(2)	27/2006
17.	Notice under section 6(2)	28/2006
18.	Order under section 6(1)(a)	37/2006
19.	Order under section 6(1)(a)	38/2006
20.	Order under section 6(1)(a)	39/2006
21.	Antiquities (Proposed Declaration) Notice 2011	29/2011
22.	Antiquities (Declaration) Order 2011	34/2011

#### Notes

(a) Ordinance 12/75, amended by Ordinances 7/81, 2/96 and 3/98.

(b) The fine of £300 was increased to £1,000 by virtue of section 3(1) of the Increase in Fines Ordinance 1978 (Ordinance 21/87).

(c) Ordinance 17/07.

## EXPLANATORY NOTE

**(This note is not part of the Ordinance)**

### Introduction

1. This explanatory note relates to the Antiquities (Amendment) Ordinance 2012, It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.
2. This note should be read in conjunction with the Ordinance. It is not, and is not meant to be, a comprehensive description of the Ordinance. So, when a section or part of a section does not seem to require any explanation or comment, none is given.

### Particular points

3. The purpose of this Ordinance is to amend the Antiquities Ordinance 1975. It replicates amendments made by the Republic's Antiquities (Amendment) Law 2012 (No. 103(I)/2012) and substitutes revised Schedules which list all the sites in the Areas which have been declared as ancient monuments.
4. The amendments made by section 3, 5 and 6 insert provisions in the principal Ordinance banning the possession and use of metal detectors and other equipment used to investigate the location of antiquities without the written permission of the Chief Officer and in designated areas where their use is permitted. Members of the armed forces, public officers and other employees of the Crown (including police officers and fire officers) are exempt from this ban if the use of the equipment is in the course of duty.
5. The functions delegated to the Republic are specified currently in Schedule 1 to the Delegation of Functions to the Republic Ordinance. In accordance with current drafting practice section 7 inserts a new section 32A in the principal Ordinance specifying these functions on the face of the Ordinance. Powers to declare that a site is an ancient monument, compulsorily acquire land, designate areas where metal detectors and detection equipment can be used and to make regulations are not delegated.
6. Part 1 of the new Schedule 1 to the principal Ordinance lists all the ancient monuments in the Areas which are the property of the Republic and Part 2 those which are the property of the Crown. The new Schedule 2 to the principal Ordinance lists all other ancient monuments in the Areas. Schedule 3 revokes notices and orders made declaring sites to be ancient monuments. These are no longer required, as details of the sites have been incorporated in the revised Schedules.