
**CRIMINAL CODE (AMENDMENT) ORDINANCE
2014**

An Ordinance to amend the Criminal Code

**R. J. CRIPWELL
ADMINISTRATOR**

8 May 2014

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

Short title and commencement

1. This Ordinance may be cited as the Criminal Code (Amendment) Ordinance 2014 and comes into force on 1 June 2014.

Amendment to Criminal Code

2. The Criminal Code (a) is amended in accordance with sections 3 and 4.

Insertion of section 188A

3. After section 188 the following section—

“Soliciting for customers

188A.—(1) A person (P) commits an offence if in a public place or on public transport
P—

(a) Cap. 154, Laws of Cyprus (1959 ed.). Legislation of the former colony of Cyprus has effect in the Areas by virtue of article 5 of the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369 (UK)). Schedule 2 to the Interpretation Ordinance 2012 makes provision for the interpretation of such legislation.

- (a) pesters another person for the purpose of soliciting for customers;
- (b) unless licensed to act as an agent under Republican law, enters into an agreement with another person for the purpose of directing customers to a relevant business;
or
- (c) encourages, incites or employs another person to do any of the things specified in paragraph (a) or (b).

(2) The offer of goods for sale by a licensed hawker is not pestering another person within the meaning of subsection (1)(a).

(3) A person who is convicted of an offence under subsection (1) is liable on conviction to imprisonment for a term not exceeding 6 months or to a fine not exceeding €2,000, or to both.

(4) In the case of a second or subsequent conviction for an offence under subsection (1), a person is liable to imprisonment for a term not exceeding 1 year or to a fine not exceeding €3,417, or to both.

(5) Where a person is convicted of an offence under subsection (1)(b), in addition to imposing a penalty under subsection (3) or (4), the court may order that the relevant business on whose behalf P was directing customers must cease to trade for a period not exceeding 6 months.

(6) In this section, “relevant business” means—

- (a) a business providing transport services;
- (b) a business providing tourist services;
- (c) a place of entertainment;
- (d) a shop.”.

Amendment to section 189 (rogues and vagabonds)

4. In section 189(a) for “the last preceding section” substitute “section 188”.

EXPLANATORY NOTE

(This note is not part of the Ordinance)

1. This explanatory note relates to the Criminal Code (Amendment) Ordinance 2014 (the “Ordinance”). 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. The Ordinance amends the Criminal Code. It inserts new section 188A which makes it an offence to pester a person for the purpose of soliciting for customers. It is also an offence for a person who is not a licensed agent to enter into an agreement to direct customers to businesses providing transport or tourist services, places of entertainment (e.g. restaurants and nightclubs) and shops. Section 188A has been in the Republic’s Criminal Code since 1991 but not replicated in the legislation of the Areas. The new section reflects the Republic’s law as most recently amended by Law 125(I)/2013.

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