

Ordinance 02 of 2020

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**CONTROL (ENTRY, SETTLEMENT AND
COMMERCIAL ENTERPRISES)
(AMENDMENT) ORDINANCE 2020**

An Ordinance to make provision to amend the Control (Entry, Settlement and Commercial Enterprises) Ordinance 1960

R.J. Thomson
ADMINISTRATOR

12 March 2020

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

Short title

1. This Ordinance may be cited as the Control (Entry, Settlement and Commercial Enterprises) (Amendment) Ordinance 2020.

Commencement

2. This Ordinance comes into force on the day after the day on which it is made by the Administrator.

Amendment of the Control (Entry, Settlement and Commercial Enterprises) Ordinance 1960

3.—(1) The Control (Entry, Settlement and Commercial Enterprises) Ordinance 1960(a) is amended as follows.

(2) In section 2 (interpretation) for the definition of “approved port”, substitute—

““approved port” means—

(a) a sea port or an airport—

(i) in the Areas declared by the Administrator by notice in the Gazette to be a port of entry or a port of departure for the purposes of this Ordinance; or

(ii) approved as such under the appropriate Republican Law.

(b) a place designated as a crossing point by an order made, from time to time, under section 15 of the Customs Ordinance 2005(b);”

(3) In section 5(1)(c), for “any person certified by a medically qualified person to be suffering from” substitute “any person whom a control officer has reasonable grounds for believing may be infected or contaminated by”.

(4) In section 5(1)(c), after “or who refuses to comply with” insert “section 9(1A) to (2) or,”.

(5) After section 5(3) insert—

“(4) In assessing whether a person may be suffering from a contagious or infectious disease, a control officer must act in accordance with guidance from a medically qualified person.”

(6) In the title of section 9 (special provisions relating to persons entering or leaving the Areas), delete “by sea or air”.

(7) After section 9(1) insert—

“(1A) A person wishing to enter the Areas must comply with a control officer’s requirements for the purpose of protecting public health, which may include a requirement to—

(a) answer questions or submit to an oral, ear, or armpit temperature check for the purpose of determining the risk that the person may have been contaminated by a contagious or infectious disease; or

(c) submit to a medical examination by a medical practitioner at a time and place specified by the control officer.”

(8) In section 9(5), after “the provisions of sub-sections (1),” insert “(1A),”.

(9) For section 16(1) (special provisions), substitute—

“(1) Any person may enter or leave the Areas through the areas of the Republic that are under the effective control of the government of the Republic.”

(a) Ordinance 5/1960. The definition of “approved port” in section 2 was amended by Ordinance 13/2009 and 4/2001.

(b) Ordinance 16/2005.

EXPLANATORY NOTE

(This note is not part of the Ordinance)

1. This explanatory note relates to the Control (Entry, Settlement and Commercial Enterprises) (Amendment) Ordinance 2020 (“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 Control (Entry, Settlement and Commercial Enterprises) Ordinance 1960 (“the principal Ordinance”).
3. Section 2 (interpretation) of the principal Ordinance is amended to change the definition of “approved port”. The definition is extended to include a place designated as crossing point.
4. Section 5 (prohibited immigrants) of the principal Ordinance is amended to provide that a prohibited immigrant (P) can be refused entry on the basis that a control officer has reasonable grounds for believing there is a risk that P has been exposed to an infectious disease.
5. Section 9 (special provisions relating to persons entering or leaving the Areas) of the principal Ordinance inserts a new provision providing that a control officer can require any person to answer questions, submit to temperature checks or submit to a medical examination for the purpose of protecting public health.
6. Section 16 (special provisions) of the principal Ordinance is amended to provide that any person may enter or leave Areas through the areas of the Republic that are under the effective control of the government of the Republic.

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