

---

**GOODS ORDINANCE 2020**

---

An Ordinance to adopt goods legislation from the Republic of Cyprus that derives from certain provision of the European Union law, into the law of the Sovereign Base Areas.

R. Thomson  
**ADMINISTRATOR**

*18 December 2020*

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

**Short title and commencement**

- 1.**—(1) This Ordinance may be cited as the Goods Ordinance 2020.  
(2) This Ordinance comes into force on 1 January 2021 at 1:00am.

**Interpretation**

**2.** In this Ordinance—

“to correspond” means to be similar or substantially similar;

“goods law” means a Law of the Republic which is listed in Schedule 1 together with—

- (a) any amendment made to such a Law (whenever enacted),
- (b) any public instrument made under such a Law (whenever enacted),
- (c) any amendment made to such a public instrument (whenever enacted).

## **General application**

**3.—**(1) Subject to the other provisions of this Ordinance, all such rights, powers, liabilities, obligations, offences and restrictions from time to time created or arising in the Republic by or under any goods law and all such remedies, penalties and procedures from time to time provided for by or under such a law will, subject to necessary modification and so far as possible, be recognised and available in law in the Areas and allowed and followed accordingly.

(2) Subsection (1) does not apply to any power or duty contained in a goods law which permits or requires a person or body to make a public instrument of any kind.

(3) A goods law which is given effect to in the Areas by virtue of subsection (1) is treated as if it is subordinate legislation made under this Ordinance.

## **Modifications and adaptations**

**4.—**(1) The application of a goods law in the Areas is subject to the following—

- (a) where a goods law is repealed or revoked but is not replaced by the Republic it will cease to have effect in the Areas;
- (b) where a goods law is repealed and replaced by the Republic with another goods law, the goods law referred to in Schedule 1 will be replaced by that new goods law;
- (c) where a provision of a goods law contains a reference to any other Republican legislation, then –
  - (i) if there is a provision of the Areas (including a provision which has effect in accordance with section 3) the effect of which corresponds to that other Republican provision, the reference will be construed as a reference to the corresponding provision of the Areas;
  - (ii) in any other case, the provision of the goods law containing that reference will not have effect in the Areas;
- (d) a reference to the Republic in a goods law will be construed as a reference to the Areas;
- (e) a provision in a goods law will not have effect in the Areas if—
  - (i) it requires or permits the establishment of a body, whether incorporated or not, for the purposes of—
    - (aa) exercising any functions conferred by that law, or
    - (bb) providing assistance to any person in connection with functions conferred by that law, and
  - (ii) it creates any liability or duty in relation to the establishment, functioning or termination of such a body.

(2) The application of goods law in the Areas will be subject to the following modifications —

- (a) to the extent that it applies to the movement of goods, it applies as if the Areas were part of the territory of the Republic;
- (b) where a reference to a Member State of the European Union does not include a reference to the Republic, it will also not include a reference to the Areas; and
- (c) any part of the Island of Cyprus not under the effective control of the Republic will be deemed not to be part of the European Union.

(3) The Administrator may by order made as a public instrument—

- (a) amend Schedule 1,
- (b) provide for the application of a goods law in the Areas to be subject to such additional exceptions, adaptations or modifications, from such date as may be specified in the order, as the Administrator may consider expedient in the circumstances.

## **Powers and duties**

**5.**—(1) A function conferred on an officer of the Republic by a goods law is—

- (a) a conferred function for the purposes of the Conferral of Functions on the Republic Ordinance 2020(a) (“the Conferral Ordinance”); and
- (b) exercisable by an officer of the Republic only if provided for by the Conferral Ordinance.

(2) To the extent that section 5 of the Conferral Ordinance prevents a function referred to in subsection (1) from being exercised by an officer of the Republic, that function is exercisable by the Chief Officer.

(3) A function conferred by a goods law—

- (a) on a court or tribunal of the Republic is deemed to be conferred on court or tribunal of the Areas the jurisdiction of which correspond to that of the court or tribunal of the Republic,
- (b) on a police force or a member of a police force (by whatever name such a force may be known) is deemed to be conferred on the Sovereign Base Areas Police Service,
- (c) on a customs department or member of a customs department (by whatever name such a department may be known) is deemed to be conferred on the Sovereign Base Areas Customs and Immigration Service.

(4) Any body which, in the Republic, is created as a result of a provision of the kind referred to in section 4(1)(e) will be recognised in the Areas as having the same rights and duties as if that body had been established under the provisions of this Ordinance and will have the same powers and duties as those conferred or imposed upon that body in the Republic for the purpose of carrying out its objects as specified in that provision in the Republic.

(5) In this section, “officer of the Republic” has the same meaning as in the Conferral of Protocol Functions on the Republic Ordinance 2020.

## **Repeal and revocations**

**6.**—(1) The Standards and Control of Quality Ordinance 1984(b) is repealed.

(2) The following public instruments are revoked—

- (a) the Standards and Control of Quality Regulations 1984(c),
- (b) the Standards and Control of Quality Regulations 1988(d),
- (c) the Standards and Control of Quality Regulations 1989(e),
- (d) the Standards and Control of Quality Regulations 1989(f),
- (e) the Standards and Control of Quality Regulations 1990(g),
- (f) the Standards and Control of Quality Regulations 1990(h),
- (g) the Cyprus Standards and Control of Quality Regulations 1994(i).

---

(a) Ordinance 46/2020.  
(b) Ordinance 4/1984.  
(c) P.I. 21/1984.  
(d) P.I. 83/1988.  
(e) P.I. 69/1989.  
(f) P.I. 117/1989.  
(g) P.I. 21/1990.  
(h) P.I. 125/1990.  
(i) P.I. 65/1994.

## SCHEDULE 1

### Goods law

section 2

All Laws of the Republic with the purpose of implementing European Union law on goods referred to in Article 2(7) of the Protocol to the Withdrawal Agreement relating to the Sovereign Base Areas of the United Kingdom of Great Britain and Northern Ireland in Cyprus to the Agreement on the withdrawal of the United Kingdom of Great Britain and Northern Ireland from the European Union and the European Atomic Energy Community.

## **EXPLANATORY NOTE**

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

**1.** This explanatory note relates to the Goods 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.** 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.

**3.** The purpose of the Ordinance is to give effect to article 2(7) to the Protocol to the Withdrawal Agreement relating to the Areas, for European Union goods law including Articles 34, 35, 36 of the Treaty on the Functioning of the European Union, and measures made under its Article 114, to apply to and in the Areas.

**4.** Section 3 provides for the laws of the Republic of Cyprus specified in Schedule 1, to have effect as part of the law of the Areas.

**5.** Section 4 provides for various modifications and adaptations to the Republic of Cyprus goods as it applies in the Areas.

**6.** Section 5 provides that for all functions conferred on Republic of Cyprus officers under Republic of Cyprus goods legislation, these functions are also conferred on Republic of Cyprus officers in relation to their applicability in the Areas insofar as this is permitted by the Conferral of Protocol Functions on the Republic Ordinance 2020. In all other cases, such functions will be exercisable by the Chief Officer.