

Ordinance 51 of 2020

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**A G R I C U L T U R A L P R O V I S I O N S (A M E N D M E N T)
O R D I N A N C E 2 0 2 0**

An Ordinance to amend the Agricultural Provisions (Amendment) Ordinance 2007.

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

1. This Ordinance may be cited as the Agricultural Provisions (Amendment) Ordinance 2020.

Commencement

2. This Ordinance comes into force on 1 January 2021 at 1:00am.

Amendment of the Agricultural Provisions Ordinance 2007

- 3.—(1) The Agricultural Provisions Ordinance 2007(a) is amended as follows.

(a) Ordinance 9/2007, as amended by Ordinance 29/2014.

- (2) In section 4 (modifications and adaptations) after subsection (2) insert—
- “(2A) For the purposes of this Ordinance and anything made or having effect under it, the Areas are deemed to be treated as if they were part of the territory of the Republic.
- (2B) Where an agricultural law refers to a “member state of the European Union” but does not include a reference to the Republic, it also does not include reference to the Areas.”
- (3) For section 5 (powers and duties) substitute—
- “**5.**—(1) A function conferred on an officer of the Republic under an agricultural law is—
- (a) a conferred function for the purposes of the Conferral of Functions on the Republic Ordinance 2020 (“the Conferral Ordinance”)(a); and
- (b) is 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—
- (a) the Fiscal Officer, where the function relates to any form of inspection (however described) of any goods which are intended for import into or export from the Areas; or
- (b) in all other cases, the Chief Officer.
- (3) 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 objectives as specified in that provision in the Republic.”
- (4) Omit section 6 (effect of acts of officers of the Republic).
- (5) In section 7 (protection of officers of the Republic) after “section 5” omit “(2), (4) or (5),”.
- (6) At the end of Schedule 1 (agricultural law) insert—

(a) Ordinance 46/2020.

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| 54 | Law 51/90 | The Apiculture Law 1990 |
| 55 | Law 57(I)/94 | The Establishment of Livestock Farming Associations and Establishment of Livestock Farming Areas Law 1994 |
| 56 | Law 78(I)/2007 | The Implementation of Community Regulations and Community Decisions Law 2007 |
| 57 | Law 25(I)/2014 | The Transfer of Competences and Functions of the Vine Products Council to the Department for Agriculture Law 2014 |
| 58 | Law 26(I)/2016 | The Creation of the Register of Farmers Law 2016 |
| 59 | Law 61(I)/2016 | The Production and Trade in Industrial Hemp Law 2016 |
| 60 | Law 103(I)/2016 | The Marketing Standards for Eggs Law 2016 |
| 61 | Law 39(I)/2017 | The Hygiene of Plant Production Foodstuffs at the Stage of Primary Production Law 2017 |
| 62 | Law N50(I)/2017 | The Milk (Contractual Agreements for Raw Milk Deliveries) Law 2017 |
| 63 | Law 12(I)/2018 | The Establishment and operation of Plant Protection and Associations Law 2018 |
| 64 | Law 27(I)/2018 | The Recognition of Producers Organisations of Agricultural Produce Law 2018 |
| 65 | Law 74(I)/2019 | The Control of Oenological Practices and Processes Law 2019 |
| 66 | Law 120(I)/2019 | The Prevention and Management of the Introduction and Spread of Invasive Alien Species Law 2019 |

EXPLANATORY NOTE

(This note is not part of the Ordinance)

1. This explanatory note relates to the Agriculture Provisions (Amendment) Ordinance 2007 (“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 note should be read in conjunction with the Ordinance. It is not meant to be a comprehensive description of the Ordinance. Accordingly, not all sections are referred to in the note.

3. Subsections 3(1) to (5) of the Ordinance amends the Agriculture Provisions Ordinance 2007 (“the principal Ordinance”) to confer public functions under the principal Ordinance on officers of the Republic in certain circumstances for the purpose of the implementing article 6 of the Protocol 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 (“the Protocol”).

4. Functions are conferred on officers of the Republic in cases where this is required by Article 13 of the Protocol. It does so by reference to the Conferral of Protocol Functions on the Republic Ordinance 2020, which makes more detailed provision about the conferral of functions under the Protocol. In all other cases, such functions will be exercisable by the Chief Officer or the Fiscal Officer.

5. Section 3(6) of the Ordinance amends Schedule 1 of the principal Ordinance to reflect updated agricultural laws in the Republic.

SBA/AG/2/AA414
