

**Ordinance 15 of 2022**

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**CITIZENS OF THE REPUBLIC (JURISDICTION OF  
COURTS) (AMENDMENT) ORDINANCE 2022**

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An Ordinance to amend the Citizens of the Republic (Jurisdiction of Courts) Ordinance 1960.

R. Thomson  
**ADMINISTRATOR**

*11th May 2022*

**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 Citizens of the Republic (Jurisdiction of Courts) (Amendment) Ordinance 2022.

**Commencement**

**2.** This Ordinance comes into force on 16 May 2022.

### **Amendment of the Citizens of the Republic (Jurisdiction of Courts) Ordinance 1960**

3.—(1) The Citizens of the Republic (Jurisdiction of Courts) Ordinance 1960(a) is amended as follows.

(2) In the long title, omit the words “affecting Cypriots”.

(3) In section 2 (interpretation) after the definition of “District Court of the Republic” insert—

““non-United Kingdom personnel” means any person excluding contractors, United Kingdom personnel and their dependents as defined in Part I of Annex B to the Treaty of Establishment.”.

(4) In Part 2 (criminal proceedings)—

(a) for “a Cypriot is” and “such Cypriot is” in each place they occur, substitute “non-United Kingdom personnel are”;

(b) except for in section 4(1B)(a) (as inserted by paragraph (c) below), for “Cypriots”, “Cypriot” or “a Cypriot”, in each place they occur, substitute “non-United Kingdom personnel”;

(c) in section 4 (right of Cypriots to elect for trial in the Republic)—

(i) for subsection (1), substitute—

“(1) Where non-United Kingdom personnel are charged with an offence in the Areas to which section 3(1) applies (“the accused person”), they will be brought to a Court of the Areas.

(1A) Except where subsection (1B) applies, the accused person may elect whether they wish to be tried by a Court of the Republic or by a Court of the Areas.

(1B) The accused person must be tried in a Court of the Areas in circumstances where the Attorney-General and Legal Adviser certifies in writing that—

(a) the accused person is Cypriot and charged with an offence which appears to have been committed solely against or in relation to a Cypriot, and the offence affects security or public order in the Areas; or

(b) paragraph (a) does not apply, and the accused person is charged with an offence that affects the peace, good order, public order, security or good government of the Areas.

(1C) The issue of a certificate by the Attorney-General and Legal Adviser under subsection (1B) is an exempt activity for the purposes of section 8 of the Courts (Judicial Review) Ordinance 2004(b).”;

(ii) at subsection (2), for “that the offence with which such Cypriot is charged is one that affects security or public order in the Areas” substitute “the offence under subsection (1B)”;

(iii) at subsection (4) for “certified under sub-section (1) that the offence with which such a Cypriot is charged is one that affects security or public order in the Areas” substitute “issued a certificate under subsection (1B)”.

(5) In Part 3 (civil proceedings), for “Cypriots”, in each place that it occurs, substitute “non-United Kingdom personnel”.

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(a) Ordinance 6/1960.

(b) Ordinance 10/2004, which has been amended in ways that are not relevant to this Ordinance.

## **EXPLANATORY NOTE**

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

1. This explanatory note relates to Citizens of the Republic (Jurisdiction of Courts) (Amendment) Ordinance 2022 (“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. Section 3 of the Ordinance inserts the definition of “non-United Kingdom personnel”. The definition applies in criminal and civil proceedings respectively and allow any person, except for United Kingdom personnel and their dependents and contractors, to be entitled to relevant provisions under the Citizens of the Republic (Jurisdiction of Courts) Ordinance 1960.

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