



SUPPLEMENT No. 3
TO
THE SOVEREIGN BASE AREAS GAZETTE
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SUBSIDIARY LEGISLATION

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THE SAFETY OF CONSUMER GOODS ORDINANCE 2000
(Ordinance 22 of 2000)

REGULATIONS MADE UNDER SECTION 6.

In exercise of the powers conferred upon him by section 6 of the Safety of Consumer Goods Ordinance 2000 and section 38 of and the Schedule to the Health and Safety at Work Ordinance 1999, the Administrator hereby makes the following Regulations:-

Citation.

1. These Regulations may be cited as the Safety of Low Voltage Electrical Equipment Regulations 2001.

Interpretation.

2. In these Regulations, unless the context otherwise requires—

“approved organisation” means a body or organisation approved by the Chief Officer pursuant to regulation 7(2);

“authorised representative” means the person established within the European Union, the Areas or the Republic who is appointed by a manufacturer of electrical equipment to act on his behalf in relation to these Regulations;

Schedule I.

“CE marking” means the CE conformity marking referred to in regulation 8 consisting of the initials “CE”, as illustrated in Schedule I;

“CE marking Directive” means Council Directive No. 93/68/EEC;

“electrical equipment” means any electrical equipment to or in relation to which these Regulations apply, by virtue of regulation 3;

“end user” means the consumer, which expression includes any industrial and any commercial consumer;

“harmonised standard” means a standard established by mutual agreement between the bodies notified by the member-States in accordance with the procedure laid down in Article 11 of the low voltage Directive, the title and reference number of which appears in the list of harmonised standards published in the Official Journal of the European Union;

“international safety provision” means a safety provision issued by the International Commission on the Rules for the Approval of Electrical Equipment (CEE) or the International Electrotechnical Commission (IEC) which has been published in the Official Journal of the European Union;

“low voltage Directive” means Council Directive No. 73/23/EEC on the harmonisation of the laws of member States relating to electrical equipment designed for use within certain voltage limits, as amended by the CE marking Directive;

“member State” means a member State of the European Union;

“national safety provision” means any safety provision which:-

(a) has the force of law in a member State; or.

(b) is contained in a standard published by a national standards body of that member-State,

not being a safety provision which has the same effect as a safety provision of a harmonised standard or as an international safety provision;

“national standards body” means a body which has been notified under Article 11 of the low voltage Directive, for the purposes of Article 5 thereof;

“safe” has the meaning assigned to it by section 2 of the 2000 Ordinance, subject to the following modifications:-

- (a) the references therein to “consumer goods” shall be construed as including electrical equipment;
- (b) (i) after the words “or any other person” there shall be inserted the words “or domestic animal”;
- (ii) after the words “risk to health” there shall be inserted the words “or any property to any risk of damage”;
- (iii) after the words “to which persons” there shall be inserted the words “domestic animals and property”;
- and
- (c) the references therein to the words “any risk” shall be construed as excluding any risk arising from the improper installation or maintenance of the electrical equipment or from the use of the equipment for purposes other than the purposes for which the equipment was manufactured;

“safety provision” means a provision made for the purpose of ensuring that the electrical equipment to which it relates is safe;

“the 1999 Ordinance” means the Health and Safety at Work Ordinance 1999;

Ordinance 6/99.

“the 2000 Ordinance” means the Safety of Consumer Goods Ordinance 2000;

Ordinance 22/00.

any reference to a numbered regulation or Schedule means a reference to the regulation or Schedule so numbered in these Regulations;

any reference to a numbered paragraph means a reference to the paragraph so numbered in the regulation or Schedule in which it appears.

3. - (1) Subject to the provisions of paragraphs (2) and (3), these Regulations shall apply to and in relation to any electrical equipment (including any component parts thereof) designed for use with a voltage rating of between 50 and 1000 volts for alternating current and between 75 and 1500 volts for direct current.

Application.

(2) These Regulations shall not apply to or in relation to electrical equipment specified in Schedule II.

Schedule II.

(3) These Regulations shall not apply to or in relation to any electrical equipment intended for export to any country outside of the European Union.

4.- (1) Any electrical equipment supplied in the Areas must:-

- (a) be safe;

Safety requirements for electrical equipment.

(b) be manufactured in accordance with those principles of good engineering practice in relation to safety matters which are generally accepted within member States and, in particular, such equipment must be designed and manufactured in such a way as to be safe when connected to the supply of electrical power; and

(c) be in conformity with the principal elements of the safety objectives for electrical equipment set out in Schedule III.

Schedule III.

(2) In determining whether electrical equipment satisfies the requirements of paragraph (1), no account shall be taken of:-

(a) whether such equipment may cause radio-electrical interference; or

(b) the general requirement set out in paragraph 1(2) of Schedule III, where the equipment:-

(i) has previously been supplied to any end user; or

(ii) is supplied exclusively under a hire agreement, whether in combination with the supply of other goods and services or otherwise, provided that it has previously been supplied to an end user

(3) Where it is necessary, for the safe use of the electrical equipment, for the user to be aware of any special features of the equipment, details of these features shall be provided by the manufacturer or his authorised representative in English and in one of the official languages of the Republic, which details shall be supplied with the equipment.

Conformity with harmonised standards.

5. Any electrical equipment which satisfies the safety provisions of the relevant harmonised standards, shall be regarded as satisfying the requirements of regulation 4, unless there is evidence to the contrary.

Conformity with international safety provisions or national safety provisions of the member State of manufacture.

6. - (1) Where there are no relevant harmonised standards, any electrical equipment which satisfies the relevant international safety provisions shall be regarded as satisfying the requirements of regulation 4, unless there is evidence to the contrary.

(2) Where there are no relevant harmonised standards and no relevant international safety provisions, any electrical equipment which has been manufactured in accordance with the relevant national safety provisions in the member State of manufacture shall be regarded as satisfying the requirements of regulation 4, provided compliance with such national safety provisions ensures that the equipment is at least as safe as it would be if it were subject to and complied with regulation 4, unless there is evidence to the contrary.

Reports on conformity of equipment with safety requirements, in the event of a dispute.

7. - (1) Where the conformity of any electrical equipment with the requirements of regulation 4 is disputed (by judicial means or otherwise), the manufacturer or his authorised representative may submit a report prepared by an approved organisation for the purpose of establishing such conformity, which report shall be taken into account by any person or court to whom the question of conformity falls to be determined.

(2) The Chief Officer shall approve one or more suitable bodies or organisations for the purposes of:-

- (a) establishing whether and, if so, to what extent any electrical equipment conforms with the requirements of regulation 4; and
- (b) preparing reports on their findings.

8. - (1) Subject to regulation 11, the manufacturer of any electrical equipment or his authorised representative shall affix the CE marking:-

CE Marking.

- (a) to the equipment; or,
- (b) where it is not possible to comply with sub-paragraph (a) above, on the package thereof, on the instructions for use or on the certificate of guarantee, in a visible, legible and indelible form, attesting to the equipment's conformity with these Regulations.

(2) The affixing of any marking which is likely to deceive others as to the meaning and form of the CE marking or which reduces the visibility or legibility of the CE marking is prohibited.

(3) Subject to paragraph (4), where, in addition to these Regulations, any electrical equipment is subject to the provisions of any other Ordinance or regulations which provide for the affixing of the CE marking, such marking shall be taken to indicate that the equipment conforms with those provisions, as well as with these Regulations.

- (4)(a) Where one or more of the provisions referred to in paragraph (3) allow the manufacturer, during a transitional period, to choose which provisions to apply to the electrical equipment, the CE marking shall be taken to indicate that the equipment conforms only to the provisions which the manufacturer has chosen to apply to that equipment; and
- (b) particulars of the provisions applied shall be given in the accompanying documents, notices or instructions required by those provisions.

9. Subject to regulation 11, the manufacturer of electrical equipment or his authorised representative shall prepare a written declaration of conformity (hereinafter referred to as "the EC declaration of conformity"), which shall include:-

EC declaration of conformity.

- (a) the name, address and telephone numbers of the manufacturer or his authorised representative;
- (b) a description of the electrical equipment;
- (c) a reference to the relevant harmonised standard;
- (d) where appropriate, references to the specifications with which conformity is declared;
- (e) identification of the signatory who has been authorised to enter into commitments on behalf of the manufacturer or his authorised representative, and
- (f) the last two digits of the year in which the CE marking was affixed.

10. - (1) Subject to regulation 11 and paragraphs (2) and (3), the manufacturer of electrical equipment shall:-

Compilation of and compliance with technical documentation.

Schedule IV.

- (a) compile the technical documentation, specified in Schedule IV, for each type of electrical equipment, which documentation shall be contained within a file;
- (a) keep and make available for inspection by the enforcement authority, the technical documentation file, together with a copy of the EC declaration of conformity, for a period of not less than ten years from the date the manufacture of that type of equipment ceased.

(2) Where the manufacturer of the electrical equipment is not established in the European Union, the Areas or the Republic, the technical documentation shall be kept and made available in the manner prescribed in sub-paragraph (b) of paragraph (1) by his authorised representative.

(3) Where the manufacturer of the electrical equipment is not established in the European Union, the Areas or the Republic and he has no authorised representative the technical documentation shall be kept and made available in the manner prescribed in sub-paragraph (b) of paragraph (1) by the person who supplies such equipment in the European Union, the Areas or the Republic, for the first time.

(4) Every manufacturer of electrical equipment shall ensure that his manufacturing process is such that the equipment produced conforms with the technical documentation compiled in accordance with sub-paragraph (a) of paragraph (1) and with these Regulations.

Exemptions for second-hand goods.

11. Regulations 8(1), 9 and 10 shall not apply in relation to any electrical equipment which:-

- (a) has previously been supplied to any end user; or
- (b) is supplied exclusively under a hire agreement, whether in connection with the supply of any other goods and services or otherwise provided that it has previously been supplied to an end user.

Notice of compliance.

12. - (1) Where the enforcement authority has reasonable grounds for suspecting that the affixing of the CE marking to any electrical equipment or on any accompanying documentation constitutes a contravention of one or more provisions of these Regulations, it may serve a notice (hereinafter referred to as a "notice of compliance") on the manufacturer or on his authorised representative, which notice shall contain the information specified in Schedule V.

Schedule V

(2) Where a notice of compliance has been served pursuant to paragraph (1), sections 7, 9 and 10 of the 2000 Ordinance or, as the case may be, sections 46, 47 and 52 of the 1999 Ordinance shall not apply until the time limit specified in the notice for complying with its requirements has expired and the recipient has failed so to comply.

Prohibition on supply of non-compliant equipment.

13. - (1) For the purposes of this regulation, "supply" shall include the provision of electrical equipment by a manufacturer for use within his own premises.

(2) Subject to paragraph (3), no person shall supply electrical equipment which does not satisfy the requirements of regulation 4(1) or in respect of which the requirements of regulation 8(1) are not satisfied.

(3) Where the supply of electrical equipment consists solely of the provision of electrical equipment by a manufacturer for use within his own premises, the prohibition in paragraph (2) shall apply only in relation to regulation 4(1).

14. – (1) The imposition, by any electricity supplier, of stricter safety requirements in relation to electrical equipment than those laid down in these Regulations, as a condition of:-

Prohibition on imposition of stricter safety standards by electricity suppliers.

(a) the connection of any electrical installation to its network;
or

(b) the supply of electricity to any user of electrical equipment,
is prohibited.

(2) The prohibition in paragraph (1) shall apply only in relation to the imposition of stricter safety requirements concerning the manufacture of electrical equipment and shall not extend to the manner or circumstances of the installation of such equipment, which is regulated by the Electricity Development Ordinance and regulations made thereunder.

Cap. 171 (Laws of Cyprus).

(3) Where, during an inspection of the electrical installation of any premises, it is ascertained that any electrical equipment, whether or not bearing the CE marking, is not in compliance with these Regulations, the electricity supplier:-

(a) may refuse to connect the installation to its network; and

(b) shall refer the matter for examination to the appropriate enforcement authority.

(4) For the purposes of this regulation, “electricity supplier” means the Electricity Authority of Cyprus or any other undertaking which supplies electricity in the Areas.

15. Any person who supplies any electrical equipment which does not bear the CE marking, in contravention of regulation 8(1), shall provide the enforcement authority with all the information in his possession regarding:-

Requirement to provide information on equipment not CE marked.

(a) the date when such equipment was supplied for the first time in the Areas;

(b) the reasons why such equipment does not bear the CE marking; and

(c) any other technical information which the enforcement authority deems necessary for the purpose of determining whether such equipment is safe,

within a reasonable period of time after receiving a demand for such information.

16. – (1) Subject to paragraph (2), these Regulations shall be treated for all purposes as if they were safety regulations within the meaning of section 6 of the 2000 Ordinance.

Enforcement under the 1999 Ordinance in relation to equipment designed for use in non-domestic premises.

(2) Without prejudice to paragraph (1), insofar as these Regulations apply in relation to electrical equipment which is:-

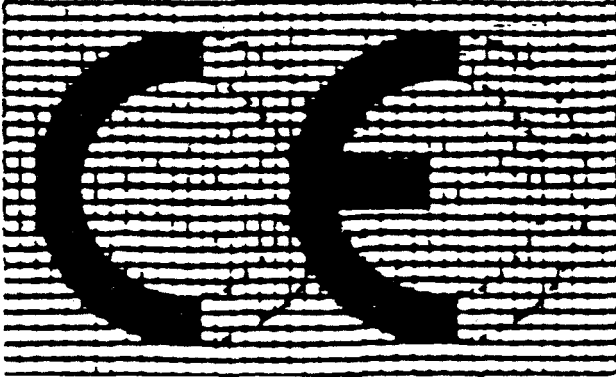
(a) designed for use or operation, whether exclusively or not, by persons at work; or

- (b) designed for use, otherwise than by persons at work, in non-domestic premises made available to persons as a place where they may use the equipment provided for their use therein, the provisions of the 1999 Ordinance specified in paragraph (3) shall apply as if these Regulations were regulations made solely under section 38 of and the Schedule to the 1999 Ordinance.
- (3) The provisions referred to in paragraph (2) are sections 40, 43 to 50, 52 and 53 of the 1999 Ordinance.

SCHEDULE I
Regulations 2(1)

**SPECIMEN FORM OF CE MARKING TO BE AFFIXED ON OR TO
ACCOMPANY ELECTRICAL EQUIPMENT**

Illustration of CE marking



1. The CE conformity marking must consist of the initials "CE" and must take the form of the specimen illustrated above.
2. Where the CE marking is reduced or enlarged the proportions of the specimen illustrated above must be adhered to.
3. The various components of the CE marking must have substantially the same vertical dimension, which must not be less than 5mm.

SCHEDULE II
Regulation 3(2)

**ELECTRICAL EQUIPMENT EXEMPTED FROM THESE
REGULATIONS**

1. The electrical equipment listed below is outside the scope of these Regulations:-

- (a) electrical appliances for use in an explosive atmosphere;
- (b) electrical equipment for radiology and medical purposes;
- (c) electrical parts for elevators and lifting machinery;
- (d) electricity meters;
- (e) electric plugs and sockets for domestic use;
- (f) electric fence controllers; and
- (g) specialised electrical equipment, for use on ships or aircraft, which complies with the safety provisions drawn up by international bodies in which the member States participate.

SCHEDULE III**Regulation 4(1)****SAFETY REQUIREMENTS FOR ELECTRICAL EQUIPMENT****General requirements**

1. – (1) Instructions, the observance of which will ensure that electrical equipment will be used safely and in accordance with the applications for which it was made, shall be attached to the equipment or, where this is not possible, published in an accompanying leaflet.

(2) The manufacturer's brand name or trade mark shall be affixed to the electrical equipment, or, where this is not possible, printed on the packaging.

(3) The electrical equipment, together with its component parts, shall be so manufactured as to be capable of being safely and properly assembled and connected.

(4) The electrical equipment shall be so designed and manufactured as to ensure adequate protection against the hazards referred to in paragraphs 2 and 3 of this Schedule, assuming that the equipment is used only for the applications for which it was made and is adequately maintained.

Protection against hazards which may arise from the use of the electrical equipment

2. Technical measures shall be prescribed in order to ensure that:—

- (a) persons and domestic animals are protected adequately against the risk of bodily harm which might be caused by direct or indirect contact with the electrical equipment;
- (b) hazardous temperatures, arcs or radiation are not produced;
- (c) persons, domestic animals and property are protected adequately against hazards of a non-electric nature caused by the electrical equipment, which are revealed by experience; and
- (d) the insulation is appropriate, having regard to the foreseeable conditions of use of the equipment.

Protection against hazards which may be caused by external influences on electrical equipment

3. Technical measures shall be prescribed in order to ensure that the electrical equipment is capable of meeting and withstanding:—

- (a) any expected mechanical pressures upon it;
- (b) any non-mechanical pressures when used in expected environmental conditions; and
- (c) any foreseeable conditions of overload,

without endangering any persons, domestic animals or property.

SCHEDULE IV
Regulation 10(1)

TECHNICAL DOCUMENTATION

1. The technical documentation compiled by the manufacturer, pursuant to regulation 10(1), must be such as to enable the conformity of the electrical equipment with the requirements of these Regulations to be assessed and must cover the design, construction and operation of the equipment.

2. The technical documentation must include:-

- (a) a general description of the electrical equipment;
- (b) conceptual design and manufacturing drawings and schemes of components, sub-assemblies, circuits and the like;
- (c) descriptions and explanations necessary for the understanding of the aforementioned drawings and the operation of the equipment;
- (d) a list of the standards applied in full or in part, and descriptions of the measures adopted for the purpose of ensuring that the safety requirements of these Regulations are satisfied, where standards have not been applied;
- (e) results of the design calculations made, examinations carried out and the like; and
- (f) test reports.

SCHEDULE V
Regulation 12(1)

NOTICE OF COMPLIANCE

1. The notice of compliance served upon the manufacturer or his authorised representative ("the recipient") pursuant to regulation 12(1) must:-

- (a) specify the electrical equipment to which the notice relates;
- (b) state that the enforcement authority suspects that the affixing of the CE marking on the equipment constitutes a contravention of one or more provisions of these Regulations and the reason for that suspicion;
- (c) specify the provisions referred to in sub-paragraph (b) above;
- (d) require the recipient:-
 - (i) to make the equipment comply, as regards the provisions concerning the CE marking, and to end the contravention, within the time limit specified in the notice; and
 - (ii) to provide evidence, within the said time limit, (in such form as to enable the enforcement authority to be satisfied) that the equipment complies with all the provisions of these Regulations; and
- (e) warn the recipient that if the non-compliance continues after the time limit specified in the notice has expired or if satisfactory evidence is not provided pursuant to sub-paragraph (d)(ii) above prior to the expiry of the said time limit, further measures may be taken in respect of the equipment or any other electrical equipment of the same type supplied by the recipient (including measures to restrict or prohibit the supply of such equipment or measures to ensure that such equipment is withdrawn from the market.)

2. The notice may include directions regarding the measures which shall be taken by the recipient in order to make the electrical equipment comply with the provisions specified therein.

Dated this 13th day of November 2001.

By the Administrator's Command,

D.J. BONNER,

Chief Officer,

Sovereign Base Areas.

(173/16A)

No. 77

THE SAFETY OF CONSUMER GOODS ORDINANCE
(Ordinance 22 of 2000)

REGULATIONS MADE UNDER SECTION 6(1), (2) AND (3)

In exercise of the powers conferred upon him under section 6(1), (2) and (3) of the Safety of Consumer Goods Ordinance 2000, the Administrator hereby makes the following Regulations:-

Short title.

1. These Regulations may be cited as the Safety of Consumer Goods (Children's Toys) Regulations 2001.

Interpretation.

2. - (1) In these Regulations, unless the context otherwise requires –

“approved organisation” means any organisation approved by the Chief Officer under regulation 8;

“CE marking” means the CE conformity marking referred to in regulation 10;

“EC certificate” means a certificate issued by an approved organisation that a sample of a toy complies with the basic safety requirements referred to in regulation 4;

“relevant national standard” in relation to the manufacture of any description of toy means the relevant Cyprus Standard, the standard applicable in the country of manufacture or a standard harmonised by the European Committee of Standardisation (CEN) whose title and reference number have been published by the Cyprus Organisation of Standards and Control of Quality which is applicable to the manufacture of a toy of that description;

Ordinance
22/2000.

“the Ordinance” means the Safety of Consumer Goods Ordinance 2000;

“toy” means any product which has been designed or which is intended to be used by children under the age of 14 years for the purposes of play and which is not a product included in the list of products specified in Schedule 2.

Schedule 2.

(2) Any reference in these Regulations to a numbered regulation or to a numbered Schedule shall, unless a contrary intention appears, be construed as a reference to the regulation of, or as the case may require, the Schedule to, these Regulations which is so numbered.

Disapplication of
regulations 10 and
13.

3. Regulations 10 and 13 shall not apply in relation to a toy -

(a) where the person who supplies the toy reasonably believes that such toy will not be used in the Areas;

(b) which is shown to have been imported into the Areas before the coming into force of these Regulations.

Basic safety
requirements.
Schedule 1.

4. Toys shall be in conformity with the basic safety requirements as set out in Schedule 1 (hereinafter referred to as the “basic safety requirements”).

Effect of CE
marking.

5. - (1) Any toy bearing the CE marking shall be presumed to be in conformity with the provisions of these Regulations until the contrary is proved.

(2) Subject to paragraph (3) below, where any toy is to be in conformity with the provisions of any other Ordinance or regulations, in addition to those of these Regulations, which provide for such marking, the conformity of the toy with the provisions of such other Ordinance or regulations shall be stated on the CE marking.

(3) If two or more of such other legal provisions permit the manufacturer, during a transitional period, to elect which of the legal provisions he will apply, the CE marking shall indicate which of those legal provisions were applied by the manufacturer.

6. Any toys supplied in the Areas which have been manufactured in accordance with a relevant national standard, being a standard which corresponds to the basic safety requirements, shall be presumed to be in conformity with the basic safety requirements unless there is evidence to the contrary.

Presumption arising from manufacture in accordance with a relevant national standard.

7. Any toy supplied in the Areas which has not been manufactured or has been manufactured only partly in accordance with a relevant national standard or in relation to which there are no applicable standards or where such relevant standards relate only to some matters covered by the basic safety requirements shall, unless the contrary is proved, be presumed to satisfy the requirement of regulation 4, if there is in force an EC certificate in respect of a sample of such toy.

Presumption arising from EC certificate.

8. - (1) Any organisation approved by the Chief Officer under paragraph (2) below ("an approved organisation") may -

Approved organisations.

- (a) carry out inspections and tests for the purposes of issuing EC certificates relating to samples of toys;
- (b) request further samples of the toys; and
- (c) may carry out any other procedures required or permitted under or in connection with these Regulations.

(2) Any approval of an organisation granted by the Chief Officer for the purposes of these Regulations may be granted for an unlimited or limited period of time or under such conditions as the Chief Officer shall deem necessary. The Chief Officer may withdraw any such approval, if the organisation ceases to comply with any such condition.

9. - (1) Any application submitted by the manufacturer or his agent or the importer, of a toy to an approved organisation for the issue of an EC certificate in respect of a sample of any toy shall be in writing and shall include -

EC certificates.

- (a) a description of the toy;
- (b) the name and address of the manufacturer or his authorised representative or the importer and the place of manufacture or of business of the importer; and
- (c) details of the design and manufacture of the toy,

and shall be accompanied by a sample of the toy and the fee (if any) required by the approved organisation.

(2) Upon an application submitted in accordance with paragraph (1) above, the approved organisation shall -

- (a) examine the application and the documents submitted by the applicant and ascertain whether they are in order;
- (b) ensure that any toy which is in conformity with the sample would not endanger the health or safety of users or other persons, when used for the purposes for which it is intended and in the manner expected, taking into consideration the normal behaviour of children; and
- (c) carry out appropriate tests and trials using the relevant national standard, for the purpose of verifying that the sample complies with the basic safety requirements.

(3) If the approved organisation, after carrying out its functions in accordance with paragraph (2) above, is satisfied that the sample complies with the basic safety requirements, it shall draw up an EC certificate which it shall communicate to the applicant. Such certificate shall be subject to such conditions as to ensure that the toys which conform to the sample shall comply with the basic safety requirements.

(4) The EC certificate shall state the results of the test and trials carried out by the approved organisation, indicate any conditions to which the certificate is subject and be accompanied by descriptions and drawings of the toy.

(5) The approved organisation after taking all necessary steps to maintain confidentiality, shall forward a copy of the certificate to the Chief Officer, and if so requested, a copy of the technical file and of the results of the tests and trials carried out.

(6) Where the approved organisation, having carried out its functions in accordance with paragraph (2) above, refuses to grant an EC certificate in respect of the sample of toy submitted, it shall inform the applicant and the Chief Officer thereof stating the reasons for its refusal.

(7) Approved organisations carrying out tests for the purposes of this regulation shall comply with the requirements set out in Schedule 4.

Schedule 4.

CE marking.

10. - (1) Subject to paragraphs (2) and (3) below, no person shall supply any toy which does not have affixed thereon or on its packing the CE marking, consisting of the initials "CE" as illustrated in Schedule 3, accompanied by the name or business name or insignia and address of the manufacturer if he is in the Areas or the Republic or if he is not, of his agent, or if the manufacturer or his agent is not resident in the Areas or the Republic, of the importer, in a visible, easily legible and indelible form. Such business name or insignia may be affixed, instead of such name, only if such business name or insignia enables the identification of the manufacturer, his agent or the importer.

Schedule 3.

(2) No manufacturer or his agent or any importer shall supply a toy on which or on the packing of which, the CE marking is affixed, unless all the provisions of these Regulations applicable to the toy in question are fulfilled and -

- (a) where the toy has purportedly been manufactured in accordance with the relevant national standard, being a standard which covers all matters covered by the basic safety requirements, the toy is actually in conformity with that standard; or

(b) where –

- (i) the toy has not been manufactured in accordance with the relevant national standard; or
- (ii) the toy has been manufactured only partly in accordance with such standard; or
- (iii) no such standard exists; or
- (iv) the relevant national standard covers only some matters covered by the basic safety requirement applicable to a toy of that description,

the toy is in conformity with a sample of a toy of that description in relation to which an EC certificate has been issued.

(3) In the case of small toys and toys composed of small parts, the marks including the CE marking referred to in paragraph (1) above, may be placed in a visible, legible and indelible form -

- (a) on a label attached to the toy;
- (b) on an accompanying printed leaflet or note; or
- (c) where the toy is not individually packed, on the box or other packing containing toys of the same description.

(2) In the case where the markings, including the CE marking referred to in paragraph (1) above, are not affixed on the toy, the attention of the consumer shall be drawn to the advisability of retaining the particulars otherwise provided on labels, leaflets or packing.

(5) The markings referred to in paragraph (1) above, other than the CE mark, may be abbreviated, provided that such abbreviations enable the identification of the manufacturer, his authorised representative or the importer.

(6) Such other markings shall not be in a form which may be misleading as to the CE marking or data affixed to the toy, the packing or label, and shall not obscure the CE marking.

(7) All toys shall be accompanied by the appropriate warnings and markings of precautions to be taken in the use of the toys, as are referred to in Schedule 5.

Schedule 5.

(8) The warnings and precautions referred to in paragraph (7) above shall be given in English and in at least one of the official languages of the Republic.

(9) Where the enforcement authority has reasonable grounds to believe that the CE marking has been affixed on any toy which is not in conformity with the provisions of these Regulations, it may serve a notice ("a notice of compliance") on the manufacturer of such toy or his agent or the importer. In such a case, sections 7, 9 and 10 of the Ordinance shall not apply unless the person on whom the notice of compliance has been served fails to comply with the requirements of the notice of compliance.

(10) A notice of compliance shall be in the form described in Schedule 6.

Schedule 6.

11. - (1) The manufacturer of any toys, if he is in the Areas or the Republic, or, if he is not, his agent in the Areas or the Republic,

Obligation to provide information.

or if the manufacturer has no agent in the Areas or the Republic, the importer of toys manufactured by that manufacturer, shall provide the enforcement authority or any of its officers with the following particulars or documents, when so requested within a reasonable time –

- (a) a description of the means (such as the use of test reports or technical report) by which the manufacturer ensures conformity with the relevant national standard;
- (b) the address of the place of manufacture and storage of such toys; and
- (c) detailed information concerning the design and manufacture of the toys;
- (d) copies of the documents which the manufacturer or his authorised representative or the importer has submitted to an approved organisation together with the application for an EC certificate; and
- (e) any certificate or a certified copy thereof issued by an approved organisation.

(2) In the case of any failure to comply with any such request as is mentioned in paragraph (1) above, the enforcement authority or any of its officers may require the manufacturer, his agent or the importer, as the case may be, to have a test carried out at his expense within a reasonable time, by an approved organisation, to ascertain conformity of the toys in question with the relevant national standard or the basic safety requirements.

Toys not bearing
the CE marking.

12. Any person who supplies toys which do not bear the CE marking shall provide to the enforcement authority or to any of its officers, when so requested, all the information in his possession relating to the date on which the toys were placed on the market for the first time and the reasons why the toys do not bear the CE marking.

Prohibition on
supply of toys not
in conformity with
the basic safety
requirement.

13. The supply by any person of any toy which does not satisfy the requirements of regulation 4 is hereby prohibited.

SCHEDULE 1
(Regulation 4)

BASIC SAFETY REQUIREMENTS FOR TOYS

1. GENERAL PRINCIPLES

1. Any user of toys or other persons shall be protected against risk of injury to their health when the toys are used as intended or in any other reasonably foreseeable manner, taking into consideration the normal behaviour of children. Such risks are those -

- (a) which are due to the design, manufacture and composition of the toy;
- (b) which are inherent in the use of toys and cannot be totally eliminated by modification in the manufacture and composition of the toy, without at the same time altering its function or depriving it of its essential qualities.

2. The degree of risk, which the use of a toy involves, shall not be beyond the ability of the users or as the case may be, of those supervising them, to deal with. This applies in particular to toys which, by reason of their function, dimensions and characteristics, are intended for children of 3 years of age or under.

3. The minimum age of children for which the toy is intended or the need to have its use supervised by adults or both shall be specified, where appropriate.

4. The labels affixed to toys or to their packing and the instructions for their use accompanying toys shall draw the attention of users or those supervising them to the risks involved and to the ways of avoiding such risks.

II. SPECIFIC RISKS

1. Physical and mechanical qualities.

- (a) Toys and their component parts and, in the case of assembled toys, their fixtures, shall have adequate mechanical durability and stability, so as to withstand the stresses involved in their use, without the risk of causing injury due to breakage or distortion.
- (b) All edges, protrusions, cords, cables and fixtures of toys shall be so designed and constructed as to minimise, as far as possible, the risk of injury.
- (c) All toys shall be designed and constructed in such a way as to minimise, so far as possible, the risk of injury which may be caused by the movement of moving parts of the toys.
- (d) Where toys are intended for children of 3 years of age or under, the size of the toys and component parts thereof which are likely to be detached shall be of such dimensions as to prevent them being accidentally swallowed or inhaled.
- (e) Toys, their component parts and packing in which they are contained for retail sale shall not present any risk of strangulation or suffocation.

- (f) Toys intended to be used in shallow water and capable of carrying or transporting a child on water shall be designed and constructed so as to minimise, so far as possible, taking into consideration the recommended use of such toys, the risk of deflation of such toys and loss of support they afford to the child during use.
- (g) Toys in which children can enter, thus creating an enclosed space for children, shall have an exit which is easily opened from the inside and openings for adequate ventilation.
- (h) Toys which provide children with mobility shall, so far as possible, incorporate a system of braking adapted to the type of toy and proportionate to the kinetic energy developed by such toy. Such system shall be capable of being operated by the child, without the risk of being ejected from the toy or injury of the child or third persons.
- (i) The form and composition of projectile parts and the kinetic energy that they are capable of developing when projected from a toy designed for such purpose, shall be such that the risk of injury to the user of such toy or to third persons, shall not be disproportionate to the nature of the toy.
- (j) Toys which include heating elements shall be so constructed as to ensure that –
 - (i) the maximum temperature of any accessible surfaces shall not cause burns on contact with them;
 - (ii) liquids, vapours and gases which are contained therein shall not reach temperatures or pressures such that their escape is likely to cause burns or other injuries unless this is essential to the operation of the toy.

2. Flammability.

- (a) Toys shall not constitute a dangerous flammable element in the environment of any child. For this purpose toys must be composed of materials which –
 - (i) do not inflame when directly exposed to a flame, spark or any other potential source of fire; or
 - (ii) do not ignite easily; or
 - (iii) if they ignite, burn slowly and have a low rate of spread of the flame, and the fumes thereby caused do not cause injury to health; or
 - (iv) whatever their chemical composition, have undergone treatment that delays combustion.

Any combustible materials used shall not constitute a risk of spread of fire to other materials used in the toy.

- (b) Toys which, for purposes of their operation, contain dangerous substances or preparations and particularly materials and equipment for chemical experiments, model assembly, or for moulding of plastic or ceramic materials, enameling, photography or similar activities, shall not contain substances or preparations which are likely to become flammable, by reason of the evaporation of non-flammable volatile components.

- (c) Toys shall not be explosive or contain elements or substances likely to explode in case of use or treatment, taking into consideration the normal behaviour of children, thereby endangering the health and safety of their users or third persons. This requirement shall not apply to percussion caps in fireworks referred to in item 10 of Schedule 2.
- (d) Toys, and in particular chemical toys, shall not contain any pure chemical compounds or preparations which –
 - (i) when mixed are likely to explode by reason of any chemical reaction or heating or when mixed with oxidising substances;
 - (ii) contain any volatile components which are flammable in the environment and which are likely to form flammable or explosive mixtures of vapour.

3. Chemical qualities.

- (a) Toys shall be designed and constructed in such a way that their use or handling whether as intended or in any other foreseeable way, taking into consideration the likely behaviour of children, shall not present any risk of injury to health or injury by reason of swallowing, inhalation or contact with the skin, mucous tissue or eyes.

In each case, the established practice shall be observed regarding certain categories of product, and also regarding the prohibition, restriction of use or the labelling of certain dangerous substances and preparations.

- (b) In particular, for the protection of the health of children, the biodisposability which is due to the use of toys, shall not exceed, as a target, per day the following –

- 0,2 µg for antimony,
- 0,1 µg for arsenic,
- 25,0 µg for barium,
- 0,6 µg for cadmium,
- 0,3 µg for chromium,
- 0,7 µg for lead,
- 0,5 µg for mercury,
- 5,0 µg for selenium.

The term biodisposability, in relation to such substances, means the amount of soluble substance having toxicological significance.

- (c) No toy shall contain dangerous substances or preparations which create a risk of harm to the health of the children using them. In each case, the existence in a toy of dangerous substances or preparations is prohibited, if such toys are intended to be used unaltered during play. Notwithstanding this requirement, where a limited number of substances or preparations is essential to the operation of the toy, as in the case of a toy for chemical experiments,

model assembly, plastic or ceramic moulding, photography or similar activities, they shall be permitted, provided they meet the maximum limit of concentration specified in regulations made by the Chief Officer and published in the Gazette.

4. Electrical qualities.

- (a) Electrically operated toys and any part thereof shall not be powered by a voltage exceeding 24 volts.
- (b) Parts of such toys which are in contact or are likely to come into contact with a source of electricity capable of causing electric shock and the cables or other kind of conductors thereof, by which electricity is transmitted to such toys, shall be well insulated and protected so as to prevent the risk of electric shock.
- (c) Electrically operated toys shall be so designed and constructed as to ensure that the maximum temperatures of all accessible outer surfaces thereof shall not cause burns in the event of contact with them.

5. Hygiene.

Toys shall be so designed and constructed as to comply with the requirements of hygiene and cleanliness, to avoid any risks of infection and the spreading of diseases.

6. Radioactivity.

Toys shall not contain any radioactive elements or substances which are likely to harm the health of any child.

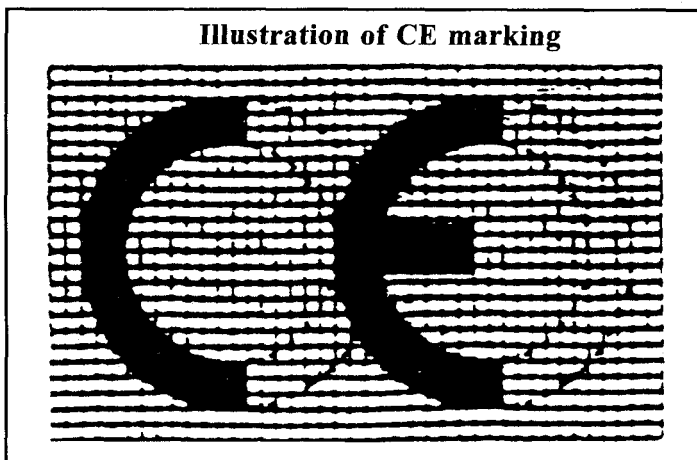
SCHEDULE 2
(Regulation 2(1))

PRODUCTS NOT DEEMED TO BE TOYS
FOR THE PURPOSES OF THESE REGULATIONS

1. Christmas decorations.
2. Detailed scale models constructed for adult collectors.
3. Equipment intended to be used collectively in sports grounds.
4. Sports equipment.
5. Aquatic equipment for use in deep waters.
6. Decorative toys with local dress and other similar articles for adult collectors.
7. Amusement machines installed in or outside shops or other public places for use by children.
8. Puzzles with more than 500 pieces or without patterns or pictures intended for adults.
9. Air guns.
10. Fireworks in which percussion caps are included.
11. Slings and catapults for throwing stones.
12. Toys for throwing small darts on a board.
13. Electric ovens, electric irons or other functional products supplied by power exceeding 24 volts.
14. Products containing heating elements intended for use under the supervision of an adult for educational purposes.
15. Vehicles with combustion engines.
16. Toys with steam engines.
17. Bicycles designed for sports purposes or for transport on public roads.
18. Video toys connected to a cathodic screen, supplied by a power exceeding 24 volts.
19. Dummies for infants.
20. Imitation firearms.
21. Artificial jewellery for children .

SCHEDULE 3
(Regulation 10(1))

Illustration of CE marking



- In case of reduction or enlargement of the CE marking, the proportions of the above graduated graphic illustration shall be maintained.
- As far as possible the components of the CE marking shall have the identical vertical dimension as illustrated above or if not identical shall not be less than 5 mm.

SCHEDULE 4
(Regulation 9(7))

**REQUIREMENTS TO BE COMPLIED WITH
BY APPROVED ORGANISATIONS**

Approved organisations shall comply with the following requirements -

1. They shall have or provide all personnel and equipment necessary for the performance of their functions.
2. Such personnel shall have adequate relevant technical training and be suitably professionally qualified.
3. With regard to the carrying out of tests, drawing up of reports, the issue of certificates and the supervision required by these Regulations, the approved organisation and its personnel shall be independent of any person having any interest in the toy being tested or examined for the purposes of these Regulations.
4. Strict confidentiality as to the matters referred to in paragraph 3 above shall be maintained by the organisation and its personnel.
5. Such personnel shall be insured against civil liability, unless such liability is met by the Republic under the Republic's general legislation.

Compliance with the requirements of paragraphs 1 and 2 above shall be periodically checked by the enforcement authority.

SCHEDULE 5
(Regulation 10(7))

WARNING AND MARKINGS OF PRECAUTIONS

1. Toys not intended for children under 3 years of age.

Toys which are likely to be dangerous if used by children under the age of 3 years shall bear a warning that they are for children over the age of 3 years, with an indication, which may also appear in the directions for use, of the specific risks involved.

This requirement shall not apply to toys which, by reason of their operation, dimensions, characteristics, qualities or other features, are clearly and obviously not intended for children under the age of 3 years.

2. Recreational outdoor toys.

Slides and swings, rings, trapezes, suspended ropes and similar toys fixed on a cross-beam shall be accompanied by instructions drawing attention to the need for carrying out periodic maintenance and checks of the points of suspensions, fixings, anchorage to the ground, and the like and of the risks of overturning or collapsing which could result from a failure to carry out such periodic maintenance and checks.

Instructions shall in addition be given regarding the correct manner of assembling such toys, indicating the parts which are likely to present dangers if their assembly is not carried out correctly.

3. Functional toys.

Functional toys are deemed to be those toys which fulfil the same functions as certain appliances or installations intended for adults and which are often scale models of such appliances or installations.

Such functional toys or their packing shall bear the warning: "Attention! Must be used under adult supervision".

Such toys shall additionally be accompanied by directions for use which mention the manner of use, and the precautions the user shall take indicating that, in case of omission of such precautions the user is exposed to the risks contained in the appliance or the product, which shall be specified, of which the toy is a scale model or an imitation. The warning that the toy shall be kept away from very small children shall also be inscribed.

4. Toys which contain inherently dangerous substances or preparations –

chemical toys

- (a) Without prejudice to the application of any other provisions, in relation to the classification, packing and marking of dangerous substances and preparations, there shall, in the instructions of use of toys, which contain inherently dangerous substances or preparations ("chemical toys"), be inscribed that such substances are dangerous and indicate the precautions to be taken by the user in order to avoid the relevant dangers which shall be defined accurately according to the type of the toy. The treatment for first aid to be provided in case of serious

accidents resulting from the use of this type of toy shall also be stated as well as that such toys shall be kept away from very small children.

- (b) In addition to the markings referred to in paragraph (a) above, chemical toys shall bear on their packing the warning: "Attention: Exclusively for children above the age of years ⁽¹⁾. To be used under adult supervision".

Chemical toys shall be deemed to be mainly the series of chemical products for the purposes of experiments, moulds for plastic material and for ceramic miniatures for enameling and similar toys.

5. Skate Boards and Roller Skates.

If skate boards or roller skates are presented on the market as toys, they shall bear the warning:

"Attention! To be used with protective equipment".

The directions of use shall state that the use of such a toy shall be carried out with care and that great skill is required to avoid accidents to the user and third parties due to falls or collisions. Directions shall, in addition, be given regarding the proposed protective equipment such as helmets, gloves, knee pads, elbow pads and the like.

6. Toys intended to be used in water.

Toys which are intended to be used in water as set out in Schedule 1, Part II paragraph 1(f) shall bear the warning:

"Attention! To be used only in shallow water under adult supervision".

⁽¹⁾ The age shall be indicated by the manufacturer.

SCHEDULE 6
(Regulation 10(10))

NOTICE OF COMPLIANCE

1. A notice of compliance shall –
 - (a) describe in detail the toy to which it refers;
 - (b) state that the enforcement authority suspects that the affixing of the CE marking on the toy constitutes a contravention of a provision or provisions of these Regulations and the grounds for such suspicion;
 - (c) specify the provision, or provisions referred to in sub-paragraph (b) above;
 - (d) require the person upon whom the notice is served –
 - (i) to ensure that any toy referred to in the notice conforms with any matter which concerns the provisions regarding the CE marking and to end such contravention within a time limit specified in such notice; and
 - (ii) to provide evidence within the time limit mentioned in paragraph (i) above in such manner as to enable the enforcement authority to be satisfied that all the provisions of these Regulations are being complied with; and
 - (a) give warning to the person upon whom the notice is served that if his non-compliance is continued or if no satisfactory evidence is provided in accordance with sub-paragraph (d)(ii) above within the time limit specified in the notice, further measures may be taken in accordance with these Regulations regarding such toy or any other toy of the same kind supplied by such person.
2. The notice may include directions regarding the measures which may be taken by such person in order to secure conformity of such toy with the provisions of these Regulations.

Dated this 29th day of November 2001.

By the Administrator's Command,

D.J. BONNER,

Chief Officer,

Sovereign Base Areas.

(173/16A)

No. 78

THE AKROTIRI COMMUNITY ORDINANCE
(Ordinance 23 of 2001)

COMMUNITY ELECTIONS 2001.

**ELECTION OF HEAD/MEMBERS OF THE COMMUNITY
COUNCIL OF AKROTIRI**

**Order for the Declaration of Election of Head/Members of
the Community Council of Akrotiri**

1. The Chief Officer, in exercise of the powers vested in him by section 11 of the Akrotiri Community Ordinance, hereby orders the holding of Community Elections on Sunday, 16 December 2001, for the election of Head and Members of the Community Council of Akrotiri.

2. This Order shall be deemed to have come into effect on 16 November 2001.

Dated this 4th day of December 2001.

By the Administrator's Command,

D.J. BONNER,

Chief Officer,

Sovereign Base Areas.

(109/6)

No. 79

**THE POWERS AND DUTIES (OFFICERS OF THE
REPUBLIC OF CYPRUS) (CONSOLIDATION)
ORDINANCE 1976**

(Ordinance 4 of 1976).

ORDER MADE BY THE ADMINISTRATOR UNDER SECTION 3.

In exercise of the powers conferred upon him by section 3 of the Powers and Duties (Officers of the Republic of Cyprus) (Consolidation) Ordinance 1976 and all other powers enabling him in that behalf, the Administrator hereby makes the following Order:-

1. This Order may be cited as the Powers and Duties (Officers of the Republic of Cyprus) (Special Provisions) (Consolidation) (Amendment) (No.2) Order 2001 and shall be read as one with the Powers and Duties (Officers of the Republic of Cyprus) (Special Provisions) (Consolidation) Order 1982 as amended from time to time (hereinafter referred to as "the principal Order"):

2. Part I of the Schedule to the principal Order shall be amended as follows -

(a) in the first column, below the words "18 of 2001" there shall be added the words "23 of 2001";

(b) in the second, third, fourth and fifth columns respectively there shall be added, in relation to the entry in the first column made by paragraph (a) above, the following -

"Akrotiri Community Ordinance 2001";

"10, 14-20 inclusive, 43, 44, 45(2), 51, 58 and 59";

"Chief Officer, Area Officer Akrotiri" and

"Returning Officer, District Officer Limassol."

3. This Order shall be deemed to have come into force on 16th November 2001.

Dated this 4th day of December 2001.

By the Administrator's Command,

D.J. BONNER,

Chief Officer,

Sovereign Base Areas.

(109/6)

(128/10/2)

No. 80

**THE POWERS AND DUTIES (OFFICERS OF THE
REPUBLIC OF CYPRUS) (CONSOLIDATION)
ORDINANCE 1976**

(Ordinance 4 of 1976).

ORDER MADE UNDER SECTION 10.

In exercise of the powers conferred upon him by section 10 of the Powers and Duties (Officers of the Republic of Cyprus) (Consolidation) Ordinance 1976, and of all other powers enabling him in that behalf, the Administrator hereby makes the following Order:-

1. This Order may be cited as the Powers and Duties (Officers of the Republic of Cyprus) (Consolidation) (Amendment of Schedule) (No.2) Order 2001.

2. The Schedule to the Powers and Duties (Officers of the Republic of Cyprus) (Consolidation) Ordinance 1976 is hereby amended as follows –

- (a) in the first column, below the words “18 of 2001” there shall be added the words “23 of 2001”;
- (b) in the second column, in relation to the entry in the first column made by paragraph (a) above, there shall be added the words “Akrotiri Community Ordinance”.

3. This Order shall be deemed to have come into force on 16th November 2001.

Dated this 4th day of December 2001.

By the Administrator's Command,
D.J. BONNER,
Chief Officer,
Sovereign Base Areas.

(109/6)

(128/10/2)
