



SUPPLEMENT No. 3
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 1577 of 21st April 2010
SUBSIDIARY LEGISLATION

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PLACES OF ENTERTAINMENT (AMENDMENT) REGULATIONS 2010

The Administrator makes the following Regulations in exercise of the powers under section 17 of the Places of Entertainment Ordinance 1999(a).

Citation and commencement

1. These Regulations may be cited as the Places of Entertainment (Amendment) Regulations 2010 and come into force on the day they are published in the Gazette.

Interpretation

2. In these Regulations, “the principal Regulations” means the Places of Entertainment Regulations 1999(b).

Long title and enacting words amended

3. (1) The long title of the principal Regulations is amended by revoking “SECTION 22” and replacing it with “SECTION 17”.

(2) The enacting words of the principal Regulations are amended by revoking “section 22” and replacing it with “section 17”.

Regulation 2 (Interpretation) amended

4. Regulation 2 of the principal Regulations is amended by inserting the following definition in the appropriate alphabetical place—

““Fire Service” has the same meaning as in the Fire Service Ordinance 2010(c);”.

Regulation 8 (Determination of prices) amended

5. Regulation 8 of the principal Regulations is amended by revoking sub-paragraph 8(1)(d).

New regulation 24 inserted

6. After section 23 of the principal Regulations the following new regulation is inserted—

“Delegation of functions to the Republic

24. (1) The functions placed on the Chief Officer by regulations 3, 7, 8, 10, 11, 14, 27, 33, 35 and 36 are general delegated functions for the purposes of the Delegation of Functions to the Republic Ordinance 2007(d) (“the 2007 Ordinance”).

(2) The function placed on the Fire Service by regulation 11(8) is a modified general delegated function for the purposes of the 2007 Ordinance.

(3) The modification applicable to delegation under subsection (2) is that section 17 of the 2007 Ordinance does not apply in respect of any member of the police force of the Republic who is also a member of the Fire Service of the Republic.”.

Schedule 2 (Fees) revoked and replaced

7. Schedule 2 to the principal Regulations is revoked and replaced with the following—

**“SECOND SCHEDULE
FEES**

(Regulation 6)

1. Fee for the issue or renewal of a licence:

Category A €170

Category B €85

Category C €51

2. Fee for a copy of a licence €17”.

Dated this 8th day of April 2010.

By the Administrator’s Command,

J. S. Wright,

Chief Officer,
Sovereign Base Areas.

(SBA/AG/2/MI/151/1)

Notes

- (a) Ordinance 2/99.
- (b) Public Instrument 75/99.
- (c) Ordinance 4/10.
- (d) Ordinance 17/07.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Introduction

1. This explanatory note relates to the Places of Entertainment (Amendment) Regulations 2010 (“the Regulations”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Regulations. It does not form part of the Regulations.

2. The note should be read in conjunction with the Regulations. It is not, and is not meant to be, a comprehensive description of the Regulations. So when a regulation or part of a regulation does not seem to require any explanation or comment, none is given.

Particular points

3. The Regulations amend the Places of Entertainment Regulations 1999 (“the principal Regulations”).

4. The amendments to regulation 8 and Schedule 2 replicate the effect of amendments to the equivalent regulations in the Republic (the Places of Entertainment Regulations, Republican PI 265/86). The reference in regulation 8 to the surcharge payable under section 11 of the Places of Entertainment Ordinance 1999 is removed pursuant to the abolition of that surcharge by the Places of Entertainment (Amendment) Ordinance 2010. Licence fees are increased by the new Schedule 2.

5. A provision dealing with delegation of functions to the Republic is inserted (new regulation 24), so that the previous delegations under section 24 of the Delegation of Functions to the Republic Ordinance 2007 (“the 2007 Ordinance”) now appear on the face of the principal Regulations.

6. A new definition of “Fire Service” is inserted in the principal Regulations, reflecting the new definition in the Fire Service Ordinance 2010. The function of the Fire Service under regulation 11(8) (giving directions as to fire protection measures and equipment) is also now delegated to the Republic. The delegation of this function is modified so as to disapply section 17 of the 2007 Ordinance (which prevents the delegation of functions to Republican police officers) in respect of members of the Fire Service of the Republic who are also police officers.

7. Finally, the opportunity has been taken to correct the erroneous reference to section 22 of the 1999 Ordinance in the long title and enacting words of the principal Regulations, which were in fact made under section 17 of that Ordinance.