
**TOWN AND COUNTRY PLANNING (FEES)
(ADOPTION) REGULATIONS 2022**

The Chief Officer makes the following Regulations in exercise of the powers in section 86 of the Town and Country Planning Ordinance 2022(a).

Citation and commencement

1. These Regulations may be cited as the Town and Country Planning (Fees) (Adoption) Regulations 2022 and come into force on 16 May 2022.

Interpretation

2. In these Regulations—

“2012 Ordinance” means the Adopted Instruments (Interpretation) Ordinance 2012(b); and

“Planning Fees Regulations” means public instrument 29 of 2013 of the Republic(c).

Adoption of the Planning Regulations

3.—(1) Subject to paragraph (2), the Planning Fees Regulations have effect as part of the law of the Areas as if they had been made in exercise of the powers under section 86 of the Town and Country Planning Ordinance 2022.

(2) The Planning Fees Regulations have effect subject to—

(a) the modifications set out in these Regulations, and

(b) to the extent that it is not contrary to those modifications, the 2012 Ordinance.

Functions in the Planning Regulations

4. Section 8 of the 2012 Ordinance does not apply where the Planning Fees Regulations confer a power or impose a duty on the Planning Authority in the Republic, within the meaning of the Town and Country Planning Law 1972 of the Republic(d) in relation to any development to be carried out by or on behalf of the Crown in rights of its Government of the United Kingdom.

Effect of amendment and revocation of the Planning Regulations

5.—(1) Section 9(1) and (2) of the 2012 Ordinance does not apply in relation to the Planning Regulations.

(a) Ordinance 10/2022.

(b) Ordinance 8/2012. Section 31 was amended by Ordinance 46/2020.

(b) Ordinance 31/2012.

(c) Published in Supplement III(I) of Republic of Cyprus Gazette No. 4643 of 1 February 2013.

(d) Law 92/1972 of the Republic as published in Supplement [1] Official Gazette 12 December 1972.

(2) Where the Planning Fees Regulations are amended after the coming into force of these Regulations then, subject to paragraph (4), that amendment takes effect in the Areas 60 days after the date on which it comes into force in the Republic.

(3) Where the Planning Fees Regulations are revoked and replaced then, subject to paragraph (4), references to the Planning Fees Regulations are to be read as references to the replacement Regulations 60 days after the date on which the replacement Regulations come into force in the Republic.

(4) Paragraphs (2) and (3) do not apply to the extent that, before the expiry of the 60-day period to which these paragraphs refer, the Chief Officer, by Regulations made under section 86 of the Town and Country Planning Ordinance 2022 and section 31(1)(b) of the Interpretation Ordinance 2012—

- (a) provides that any amendment or replacement referred to in these paragraphs is not to take effect in the Areas;
- (b) provides for any such amendment or replacement to take effect in the Areas on a specified date falling before the expiry of that 60-day period.

Dated this 12th day of May 2022.

Clare Elizabeth Simpson,
Chief Officer,
Sovereign Base Areas.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. This explanatory note relates to the Town and Country Planning (Adoption) Regulations 2022 (the “Regulations”). It has been prepared by the Office of the Attorney General and Legal Adviser to assist the reader. The note should be read in conjunction with the Regulations.

2. The Regulations specify the fees to be paid when applying for planning permission, and when the fee is partly or wholly recoverable by the applicant. It does so by providing, in regulation 3, for a public instrument of the Republic (P.I. 29/2003) to have effect as part of the law of the Areas as if it was made under the Town and Country Planning Ordinance 2022, subject to a number of modifications.

3. Functions conferred on the Planning Authority in the Republic are generally delegated functions under the Adopted Instruments (Interpretation) Ordinance 2012, except, under regulation 4, in respect of developments carried out by or on behalf of British Forces Cyprus or the Administration (in which case the power or duty is deemed to be conferred or, as the case may be, imposed on the Chief Officer).

4. The Regulations also provide, in regulation 5, for amendments of, or substitutions to, P.I. 29/2003 to take effect in the Areas 60 days after they take effect in the Republic. This is without prejudice to the Chief Officer’s power prevent the amendment or substitution from taking effect in the Areas, or provide for it to take effect sooner. Under section 9(3) of the Adopted Instruments (Interpretation) Ordinance 2012, if P.I. 29/2003 was revoked without being replaced, it would automatically cease to have effect in the Areas.

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