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

The Administrator makes the following Regulations in exercise of the power in section 7 of the Business Regulation Ordinance 2022(a).

Citation and commencement

1.—(1) These Regulations may be cited as the Business Regulation (Procedure) Regulations 2022.

(2) These Regulations come into force on 16 May 2022.

Interpretation

2.—(1) In these Regulations—

“applicant” means the person making a business licence application.

“beneficial owner” means the natural person or persons who ultimately owns or significantly controls the entity that operates a business under a business licence through direct or indirect ownership.

“business licence application” means an application for a business licence made in accordance with these Regulations.

“business licence application form” means the form available from time to time from the Area Offices in person or online for the purpose of making a business licence application.

“business licence renewal application” means an application for the renewal of an existing business licence.

“business licence renewal application form” means the form available from time to time from the Area Offices in person or online for the purpose of making a business licence renewal application.

“change of business details notification form” means the form available from time to time from the Area Offices in person or online for the purpose of notifying a change in business details.

“the Ordinance” means the Business Regulation Ordinance 2022.

“partnership” has the meaning given to it by sections (5) and (6) of the Partnership and Business Names Ordinance(b).

“the Register” means the Republic of Cyprus’ Register of Companies and Intellectual Property, operating under the auspices of the Ministry of Energy, Commerce and Industry.

“relevant fee” means the fee payable in respect of a particular application as set out in the Schedule.

(a) Ordinance 12/2022

(b) Cap. 116, Statute Laws of Cyprus revised edition 1959, as applied in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (S.I. 1960/1369, United Kingdom). Schedule 2 to the Interpretation Ordinance 2012 (Ordinance 8/2012) provides for the interpretation of such legislation

Business licence application

3.—(1) In order for a business licence application to be valid it must be—

- (a) in the form and containing the information required in the business licence application form.
- (b) signed by—
 - (i) in the case of an application made by a sole trader, that person,
 - (ii) in the case of an application made by a partnership, a partner, or
 - (iii) in the case of an application made by a company, an officer of that company,
- (c) accompanied by—
 - (i) subject to subsection (4), the relevant fee,
 - (ii) proof of identity of the individual referred to in paragraph (b) above,
 - (iii) where the business licence application is made by a company—
 - (aa) a copy of the company's entry in the Register,
 - (bb) details of the officers and beneficial owner(s) of the company, and
 - (cc) in the case of a private company, details of the company's shareholders.
 - (iv) where the business licence application is made by a partnership, a copy of the partnership agreement signed by each of the partners.
- (d) sent to the relevant Area Officer.

(2) If the relevant Area Officer considers that a business licence application does not meet the requirements of paragraph (1), they must return that application as incomplete.

(3) Where an application has been returned in accordance with paragraph (2), it will be returned to the applicant together with—

- (a) any and all supporting documentation;
- (b) any fee that has been submitted with the application minus an administrative fee of €20.

(4) The Administrator may exempt an applicant from the requirement to pay the relevant fee in exceptional cases where the Administrator is satisfied that such an exemption is in the public interest.

Business licence renewal application

4. An application to renew an existing business licence must fulfil the requirements set out in paragraphs (1)(b), (1)(c)(i) and (1)(d) of regulation 3 above.

Change of business details

5. A business licence holder must notify the relevant Area Officer of a change of business details using the change of business details notification form.

Determination of applications

6.—(1) Within 28 days of receipt of a business licence application or a business licence renewal application that complies with the requirements in regulation (3) or regulation (4) respectively the Administrator must—

- (a) approve the application and issue a business licence,
- (b) refuse the application,
- (c) request further information in relation to the application, or
- (d) inform the applicant the application requires additional scrutiny on military, security or environmental grounds.

(2) Where an application requires additional scrutiny on military, security or environmental grounds, the Administrator must take one of the steps at sub-paragraphs (a) to (c) of regulation (1)

above within a further 56 days of the date that the applicant was informed under sub-paragraph (d) of regulation (1) above.

(3) Where the Administrator requests further information from the applicant in accordance with paragraph (1)(c) of this Regulation, the Administrator must approve or refuse the business licence application within 14 days of the receipt of the further information.

(4) The relevant Area Officer must inform an applicant of the decision of the Administrator under paragraph (1), as soon as reasonably practicable.

Conditions

7.—(1) Where a business licence application is approved, the Administrator may make that business licence subject to conditions.

(2) Such conditions shall take the form of either—

- (a) a precondition, which is a condition that must be complied with before the business licence comes into effect in accordance with regulation (8), or
- (b) an operating condition, which is a condition that must be complied with for as long as the business licence is valid.

(3) A business licence must state on the face of it the conditions to which it is subject.

Coming into effect of business licence

8.—(1) A business licence comes into effect on the day stated on the face of the business licence.

(2) Where a business licence is granted subject to one or more preconditions, the business licence will be issued initially without a date for coming into force.

(3) Where an applicant has fulfilled all the preconditions attached to a business licence they must inform the relevant Area Officer in writing that the preconditions have been complied with and provide the relevant evidence to demonstrate that the preconditions have been complied with.

(4) Upon receipt of the information referred to in paragraph (3), and on being satisfied that all preconditions have been complied with, the relevant Area Officer shall complete the business licence by entering the date of coming into force on the face of the business licence.

Period of validity of a business licence

9.—(1) A business licence shall be valid from the day on which the business licence comes into effect in accordance with regulation (8) for such time as the Administrator see fit to grant the licence.

(2) A business licence must state on its face—

- (a) the date on which it comes into effect; and
- (b) the date on which it expires.

(3) Where paragraph (4) applies, the period of validity of the business licence is extended until such time as the business licence renewal application is determined.

(4) This paragraph applies where—

- (a) a business licence holder makes a business licence renewal application in accordance with regulation (4) no later than 28 days before the date of expiry of that business licence, and
- (b) the business licence in question expires before the business licence renewal application has been determined.

Display of business licences

10.—(1) Subject to paragraph (2), a business licence holder operating a business with premises that are open to the public must display a copy of its business licence in a prominent position in that premises.

(2) A business with more than one public facing premises must display a copy of its business licence only at the primary or largest premises of the business.

Register of business licences

11.—(1) Each Area Office must keep a register (“the register”) of all business licences issued by that Area Office.

(2) The register must be available for inspection by the public during normal office hours and a copy of an entry in the register must be provided to a person on request.

SCHEDULE

Regulation 2

Fees

Item	Fee (€)
1. Business Licence – first application	100.00
2. Business Licence – renewal	50.00
A licence that does not comply with Regulation 9(4) (i.e. a BL renewal application has not been submitted no later than 28 days before the date of expiry of that business licence) will be consider a first application.	

Dated this 11th day of May 2022.

R. Thomson,
Administrator,
Sovereign Base Areas.

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. This explanatory note relates to the Business Regulation (Procedure) Regulations 2022 (the “Regulations”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader and should be read in conjunction with the Regulations.

2. The Regulations have been made under the regulation making power in section 7 of the Business Regulation Ordinance 2022 (the “Ordinance”) in order to provide for various matters associated with the better implementation of the Ordinance.

3. Regulation 3 sets out the procedure for applying for a business licence, by specifying the form that applications for a business licence must take, the documents that must accompany a business licence application, the fee that must be paid, and the person who must sign an application. It also provides the Administrator with the power to exempt a person from the requirement to pay a fee.

4. Regulation 4 stipulates the form a business licence renewal application must take and what must accompany that application.

5. Regulation 5 sets out the form that must be used by a business licence holder to notify an Area Office of a change in business details.

6. Regulation 6 provides for the rules applying to the determination of business licence applications by the Administrator.

7. Regulation 7 sets out the provisions relating to the conditions that may be attached to a business licence.

8. Regulation 8 describes when and under what conditions business licences come into force.

9. Regulation 9 provides for the period of validity of a business licence, and that a business licence must state on its face the period for which it is valid.

10. Regulation 10 requires that businesses that have a public-facing physical premises must prominently display a copy of their business licence.

11. Regulation 11 requires each Area Office to keep a record of the business licences that have been granted by that office, and keep such a register open to inspection by the public.

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