



SUPPLEMENT No. 2

TO

THE SOVEREIGN BASE AREAS GAZETTE

No. 535 of 1st September, 1979.

LEGISLATION

ORDINANCE 6 OF 1979.

AN ORDINANCE

**TO AMEND THE SOCIAL INSURANCE (FACILITATION OF
REPUBLICAN SOCIAL INSURANCE SCHEME) ORDINANCE, 1972.**

W. R. TAYLOR,
ADMINISTRATOR

30th August, 1979.

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

1. This Ordinance may be cited as the Social Insurance (Facilitation of Republican Social Insurance Scheme) (Amendment) Ordinance, 1979 and shall be read as one with the Social Insurance (Facilitation of Republican Social Insurance Scheme) Ordinance, 1972 as amended from time to time (hereinafter referred to as “the principal Ordinance”).

Short title.

Ordinances
17/72, 8/74, 6/76,
3/77 and 14/77.

2. The principal Ordinance is hereby amended by repealing the Third Schedule thereto and substituting therefor the new Third Schedule set out in the Appendix to this Ordinance.

Third Schedule
to the principal
Ordinance
repealed and
replaced.

3. This Ordinance shall come into operation on the 1st October, 1979.

Commencement.

A P P E N D I X

“THIRD SCHEDULE

(Sections 4 and 7).

WEEKLY RATES OF CONTRIBUTIONS.

By and in respect of an employed person		By a self-employed person (III)
Employed person (I)	Employer (II)	
660 mils	660 mils	£1.250 mils”.

P. G. ADAMS,
Chief Officer.

30th August, 1979.

(133)

ORDINANCE 7 OF 1979.

AN ORDINANCE

TO AMEND THE CRIMINAL CODE.

W. R. TAYLOR,
ADMINISTRATOR

30th August, 1979.

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

Short title.

Cap. 154 (Laws of Cyprus), Ordinances 11/63, 17/63, 10/66 and 8/72.

New Section 95A added to the principal Ordinance.

1. This Ordinance may be cited as the Criminal Code (Amendment) Ordinance, 1979 and shall be read as one with the Criminal Code, as amended from time to time (hereinafter referred to as "the principal Ordinance").

2. The principal Ordinance is hereby amended by inserting immediately after Section 95 thereof the following new Section to be numbered 95A:—

"Breaking of tableware in public places of entertainment.

95(A).—(1) Any person who, in a public place of entertainment, wilfully breaks tableware of any kind made of glass, porcelain or other fragile material, is guilty of an offence and is liable to imprisonment for six months.

(2) The owner of or person under whose management such place is, is guilty of an offence and is liable to the same sentence, if he provides the means for committing the offence specified in sub-section (1) of this Section of the Ordinance."

30th August, 1979.

(128/2/2)

P. G. ADAMS,
Chief Officer.

ORDINANCE 8 OF 1979.

AN ORDINANCE

TO AMEND THE LANDS AND SURVEYS
(FEES AND CHARGES) ORDINANCE, 1971.

W. R. TAYLOR,
ADMINISTRATOR

30th August, 1979.

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

1. This Ordinance may be cited as the Lands and Surveys (Fees and Charges) (Amendment) Ordinance, 1979 and shall be read as one with the Lands and Surveys (Fees and Charges) Ordinance 1971, as amended from time to time (hereinafter referred to as “the principal Ordinance”).

Short title.

Ordinances
8/1971,
12/73, 8/76.

2. The Schedule to the principal Ordinance is hereby repealed and replaced by the following new Schedule:—

Schedule to
the principal
Ordinance
repealed and
replaced.

/ SCHEDULE

“ S C H E D U L E

(Section 3).

TABLE OF FEES AND CHARGES TO BE LEVIED AND TAKEN IN MATTERS RELATING TO IMMOVABLE PROPERTY.

1. Local Enquiries—

- (a) for each application 1000 mils;
- (b) plus for each parcel of property involved 100 mils;
- (c) plus for survey work done, such fee as the Administrator may, by a notice in the Gazette, from time to time approve, having regard to the time spent, salaries, allowances and any incidental expenses incurred :

Provided that—

- (i) no fee shall be levied for survey work done for correcting or adding to the plan of an existing registration unit ;
- (ii) no fee other than the fee for survey work shall be levied for the demarcation of the boundaries of a registered property or for special surveys unconnected with land registration ;
- (iii) an additional fee of 500 mils shall be levied for each parcel of property involved in an application for partition by the Chief Officer of immovable property held in undivided shares ;
- (iv) the Chief Officer may, at his discretion, allow a refund of any fee paid for a local enquiry for transferring or writing off an assessment, if it is established that the property to which the assessment relates either belonged to a person other than the person assessed at the time the assessment was made or that it does not exist at the date of the local enquiry ;
- (v) where, at the discretion of the Chief Officer, an enquiry is treated as an accelerated one, the Chief Officer may increase the fee by an amount not exceeding twice as much thereof, and, in addition, levy such extra charge as he may determine having regard to salaries, allowances, travelling and other incidental expenses connected with such local enquiry and the priority given.

2. Applications—

for each application for registration of immovable property which does not entail a local enquiry 500 mils.

3. Registration of title (payable by the person to be registered)—

- (a) by undisputed adverse or *ab antiquo* possession, reckoned on the value of the property 8 per cent;

(b) by declaration of transfer —

- (i) upon exchange, reckoned on the value of immovable property taken by each party involved in the declaration 4 per cent;

Provided that whenever the Chief Officer is not satisfied that the exchanged immovable properties were approximately of the same market value as at the date the exchange was agreed, the Chief Officer may, at his discretion, levy and collect from each party involved in the exchange a fee equal to that referred to above in respect of the property with a lower market value, whereas in relation to the property with a higher market value a fee equal to that referred to above plus an additional fee in accordance with the scale of paragraph 17 of this Schedule, reckoned on the differences between the market values of the exchanged immovable properties and the provisos to item (iv) of this sub-paragraph, shall apply *mutatis mutandis* :

Provided further that the above proviso shall not apply where declarations of transfer are made by relation to relation, including third degree relationship, or by one spouse to another;

- (ii) upon gift or sale by parent to child, reckoned on the value of the property 4 per cent;
- (iii) upon gift by relation to relation, including third degree relationship, other than by parent to child, and upon gift by one spouse to another, reckoned on the value of the immovable property 8 per cent;
- (iv) upon sale other than by parent to child reckoned on the sale price in accordance with the scale of paragraph 17 of this Schedule :

Provided that whenever the Chief Officer is not satisfied that the declared sale price reflects the market value of the immovable property as at the date when the sale was agreed, the Chief Officer may, at his discretion, levy and take a fee in accordance with the scale of paragraph 17 of this Schedule reckoned on the market value thereof. In such a case the registration in the name of the purchaser shall be made without waiting for the assessment of the market value on the immovable property by the Chief Officer and as soon as the fees on the declared sale price are paid in addition to any amount which the Chief Officer may determine in order to cover the balance of the fees payable upon the completion of the assessment of the market value of the immovable property :

Provided further that such assessment of the market value shall be made within a period of three months from the date of the declaration of

transfer. The assessment of the market value shall be communicated to the transferee who shall be entitled to appeal under section 80 of the Immovable Property (Tenure, Registration and Valuation) Ordinance :

Provided further that if the fees or charges already levied are less than those liable to be paid on the market value of the immovable property, the balance shall be levied and taken as provided by Section 5 of this Ordinance ;

- (v) upon gift other than by parent to child or by relation to relation, including third degree relationship, or by one spouse to another spouse, reckoned on the market value which the Chief Officer may determine in accordance with the scale of paragraph 17 of this Schedule :

Provided that for the purpose of this item, the provisos of item (iv) of this sub-paragraph, shall apply *mutatis mutandis* to the assessment of the market value and the taking of fees ;

- (vi) such fees as would have been levied and taken under items (ii), (iii) or (v) of this sub-paragraph, as the case may be, on a trustee to enable him to possess immovable property for the benefit of a beneficiary as if it had been a declaration of gift by the transferor to the beneficiary for whose benefit the trust operates :

Provided that where such transfer to the trustee is made by another trustee of the same trust or by a person who is in possession of immovable property in the same trust under a trust deed registered in the Area Office, an amount of £5 only shall be levied and taken instead of the said fees ;

- (c) by purchase at a public auction, the fee shall be calculated on the sale price in accordance with the scale of paragraph 17 of this Schedule ;
- (d) by compulsory acquisition, the fee shall be calculated on the compensation paid in accordance with the scale of paragraph 17 of this Schedule ;
- (e) by a succession by will, the fee shall be calculated on the market value as assessed by the Chief Officer in accordance with the scale of paragraph 17 of this Schedule :

Provided that the market value assessed by the Chief Officer shall be communicated to the beneficiary, who shall have the right to appeal, *mutatis mutandis*, in the same manner as if it had been an appeal lodged under Section 80 of the Immovable Property (Tenure, Registration and Valuation) Ordinance ;

- (f) by a grant of Crown property—
 - (i) for a consideration, the fee shall be calculated on the amount of such consideration in accordance with the scale of paragraph 17 of this Schedule ;
 - (ii) without a consideration such fees as would have been levied and taken, *mutatis mutandis*, under item (v) of sub-paragraph (b) as if it had been a declaration of gift to the person to whom the immovable property is granted ;
- (g) by transfer by or on behalf of any company (the shareholders in which are spouses or their children) to a spouse or his children, including third degree relationship, the fee shall be calculated on the value of the immovable property—
 - (i) where the transfer is made to the spouse 8 per cent;
 - (ii) where the transfer is made to the child 4 per cent;
 - (iii) where the transfer is made to a relation including third degree relationship 8 per cent.

4. Mortgages—

- (a) on the registration of a mortgage (payable by the mortgagor) on the amount advanced or where, after the Immovable Property (Transfer and Mortgage) Ordinance, 1966 came into operation, the mortgage is made for securing a future or contingent liability, including a liability in respect of money to be advanced by instalments or the balance due on a current account, on the maximum possible amount of such liability specified in the mortgage (excluding interest) 1 per cent:

Ordinances
16 of 1966,
14 of 1970,
8 of 1978.

Provided that where an existing mortgage is cancelled and on the same day a new mortgage is declared, the parties to the declaration and either the properties mortgaged or the amount secured, other than interest, being the same, the fee shall be either as hereinbefore provided or £1 plus 1 per cent on the amount, if any, by which the amount secured under the new mortgage exceeds the amount secured under the previous mortgage (excluding in either case interest due or to become due), whichever is less ;

- (b) on the transfer of a mortgage (payable by the transferee) after the Immovable Property (Transfer and Mortgage) Ordinance, 1966 came into operation— on so much of the amount advanced under the mortgage as remains unpaid on the day of the transfer or, where the mortgage was made for securing a future or contingent liability, including a liability in respect of money to be advanced by instalments after the date of the transfer of the mortgage or the balance due on a current account, on the maximum possible amount of such liability specified in the mortgage (excluding interest due or to become due)—
 - (i) if the transfer is by parent to child ½ per cent;
 - (ii) if the transfer is other than by parent to child ... 1 per cent.

Ordinances
16 of 1966,
14 of 1970,
8 of 1978.

EXEMPTIONS

No fee shall be levied and taken on the registration of a mortgage made by the Chairman of a Village Commission or by the Committee constituted under the Akrotiri Village (Special Provisions) Ordinance, 1966 or by a Postal Agent as security for the due performance of their duties.

Ordinance
3 of 1966,
3 of 1979.

5. Transmission fees—

- (a) for each declaration of transfer or mortgage made in one Area for transmission to another Area, payable by the transferee or the mortgagor, as the case may be ... 250 mils;
- (b) for each memorandum requesting the release of immovable property from a mortgage or the discharge of a mortgage, produced in the Area Office of one Area for transmission to another Area, payable by the mortgagee 250 mils.

6. Sales by auction—

- (a) for acceptance of documents authorising sale 250 mils;
- (b) for acceptance of documents applying for sale 400 mils;
- (c) for preparing notices of sale—
- (i) where the value of property to be sold does not exceed £100 300 mils;
- (ii) for every additional £100 or part thereof 150 mils;

Provided that the total fee shall not exceed £2;

- (d) for distribution of proceeds of sale of indivisible property held in undivided shares 250 mils;
- (e) for making a final account 150 mils;
- (f) for issuing a copy of the final account 100 mils.

7. Charges—

- (a) for acceptance of documents attaching or purporting to attach or charge an encumbrance (other than a mortgage) on immovable property or prohibiting the owner of any immovable property from transferring or mortgaging such property and for noting such encumbrance or prohibition in the books 1000 mils;
- (b) for acceptance of documents extending the period of recording the decision of a Court of the Areas or the Republic 500 mils.

8. Record of rights, easements, etc—

- (a) for recording the grant or existence of any right, privilege, liberty, easement or other advantage in the land register and in the certificate or certificates of registration for each of the properties involved 1000 mils;
- (b) plus in the event of a grant or compulsory acquisition of anything referred to in sub-paragraph (a)—

- (i) if it is made without a consideration such fees as would have been levied and taken under items (ii), (iii) or (v) of sub-paragraph (b) of paragraph 3 of this Schedule, as the case may be, as if it had been a declaration of gift by the grantor ;
- (ii) if it is made for a consideration or is compulsorily acquired, such fees as would have been levied and taken, *mutatis mutandis*, under items (ii) or (iv) of sub-paragraph (b) of paragraph 3 of this Schedule, as the case may be, as if it had been a declaration of sale of what was granted or compulsorily acquired.

8A. Registration of a trust deed without transfer of title to the immovable property—

such fees as would have been levied and taken under items (ii), (iii) or (v) of sub-paragraph (b) of paragraph 3 of this Schedule, as the case may be, as if it had been a declaration of gift by the transferor to the beneficiary for whose benefit the trust operates.

9. Certificates of searches—

- (a) for the registered properties of a named owner or co-owners—
 - (i) for each village or quarter, for each certificate of search or copy thereof 1000 mils;
 - (ii) plus where the boundaries of the properties are required to be given, such extra charge as the Administrator may, by a notice in the Gazette, from time to time approve, having regard to the time spent in supplying the information, salaries and allowances ;
- (b) for the registered properties standing on the land of a named person but belonging to a person other than the person named—
 - for each plot of land 500 mils;
- (c) for the registered land on which properties belonging to a named person stand but which does not belong to the person named—
 - for each plot of land 500 mils;
- (d) for particulars of previous registrations of a specific registered property 500 mils;
- (e) for particulars of subsequent transfers of a specific registered property 500 mils;
- (f) for the name of the registered owner or co-owners of a specific registered property—
 - for each property 500 mils;
- (g) for the registration number, given sufficient particulars to identify the registration—
 - for each registered property 500 mils;

- (h) for the assessed properties of a named person—
 for each village or quarter, for each certificate of
 search or copy thereof 500 mils;
- (i) for any other information not specified above such fee
 as the Administrator may, by a notice in the Gazette,
 from time to time approve, having regard to the time
 spent, salaries and allowances.

10. Certificates of indivisibility—

 for each property involved 250 mils.

11. Certificates of registration—

 of title, mortgage or charge 250 mils.

12. Leases under the Public Lands (Leases) Ordinance—

- (a) for registration, including the issue of one true copy
 of the lease for each donum or part thereof 1000 mils;
- (b) for every subsequent copy of the lease—
- (i) for the first 200 words 500 mils;
- (ii) for every further 100 words or part thereof 100 mils.

13. Copies—

- (a) of maps and plans—
- a charge determined by the Chief Officer according
 to size and scale, with a minimum charge of 250 mils;
- (b) of other documents—
- (i) for the preparation and certification of a copy—
 for each page one square foot in extent or
 part thereof 250 mils;
- (ii) for the certification of a copy prepared other than
 in an Area Office—
 for each page one square foot in extent or
 part thereof 100 mils;
- (c) of certificates of registration—
 of title, mortgage or charge 500 mils.

14. Evidence before any Court, Tribunal, Board or person
 empowered to summon witnesses—

 such fee as the Administrator may, by a notice in the
 Gazette, from time to time approve, having regard to the
 time spent in preparing for and giving the evidence,
 salaries, allowances and travelling expenses incurred.

15. Notices—

 for the giving of notice by the Chief Officer, after the
 Immovable Property (Transfer and Mortgage) Ordinance,
 1966 came into operation—

- (a) to a mortgagee, that the immovable property mortgaged
 to him has been transferred to another person 500 mils;

- (b) to a mortgagor, that the mortgagee has transferred the mortgage to another person 500 mils;
- (c) to a mortgagee, that a prior mortgage subsisting on the same immovable property has been transferred to another person 500 mils;
- (d) to a mortgagee, that an application has been made for the sale of the immovable property mortgaged to him in satisfaction of the amount secured by another mortgage thereon 500 mils.

16. Any service not otherwise specified—

such fee as the Administrator may, by a notice in the Gazette, from time to time approve, having regard to the time spent in preparing for and providing the service, salaries, allowances and travelling expenses incurred.

17. The scale referred to in items (i), (iv) and (v) of sub-paragraph (b) and sub-paragraphs (c), (d), (e) and (f) of paragraph 3 to this Schedule is as follows:—

On each pound not exceeding £10,000	5 %
On each pound exceeding £10,000 but not exceeding £20,000	6 %
On each pound exceeding £20,000 but not exceeding £35,000	6½%
On each pound exceeding £35,000 but not exceeding £50,000	7 %
On each pound exceeding £50,000 but not exceeding £75,000	7½%
On each pound exceeding £75,000	8 %:

Provided that where a purchaser, in whose name a share of the property has been transferred, acquires within a period of two years from the original purchaser an additional share in such property, the fees and charges for the registration of such shares shall be levied and taken on the total amount reflected by such transfers, after deducting the fees and charges already paid in connection with the original transfer.”

30th August, 1979.

(118/2/1)

P. G. ADAMS,
Chief Officer.

