AN ORDINANCE
TO PROVIDE FOR HEALTH AND SAFETY
AT WORK AND RELATED MATTERS

A. I. RAMSAY
ADMINISTRATOR

22nd April 1999.

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

PART I
PRELIMINARY PROVISIONS AND INTERPRETATION

1. This Ordinance may be cited as the Health and Safety at Work Ordinance 1999.

2. - (1) In this Ordinance, unless the context otherwise requires:-
   “agriculture” has the meaning assigned by section 3 of the Factories Ordinance, and “agricultural operations” shall be construed accordingly;
   “article for use at work,” includes any plant or a component thereof designed for use or operation by persons at work;
   “building” includes a temporary or movable structure;
   “building operation” has the meaning assigned by the Factories Ordinance;
   “contract of employment” means a contract of employment whether express or implied and, if express, whether oral or in writing and includes a contract of apprenticeship;
   “contravention” includes, in relation to any provision, a failure to comply with that provision, and “contravene” shall be construed accordingly;
   “Court” means the Judge’s Court of the Sovereign Base Areas;
“dock works” has the meaning assigned by section 3 of the Factories Ordinance;

“domestic premises” means premises occupied exclusively as a private dwelling (including any garden, yard, garage, parking place, outhouse or other auxiliary building or any other appurtenance of such premises which is not used in common by the occupants of more than one such dwelling), and “non-domestic premises” shall be construed accordingly;

“employee” means a person who works under a contract of employment, and “employment” and other related expressions shall be construed accordingly;

“enterprise” includes industrial or other activities, trade or other occupations;

“excavation industries” includes mines and quarries;

“extremely flammable,” in relation to substances, means substances in a liquid state with an extremely low point of ignition and a low point of boiling, or gases which, under normal temperature and pressure ignite in the atmosphere;

“factory” has the meaning assigned by section 2 of the Factories Ordinance;

“flammable,” in relation to substances, means liquid substances with a low point of ignition;

“fume” includes gas or vapour;

“health,” in connection with work, means the absence of disease or infirmity and the absence of any physical, mental and psychological conditions having an adverse effect on health;

“highly flammable,” in relation to substances, means substances:

- which may heat up and ignite in the atmosphere under normal temperatures without an external supply of energy, or
- which, in a solid state, may readily ignite after a brief application of a source of ignition and which continue to blaze after the withdrawal of such source of ignition, or
- that have a very low point of ignition when in a liquid state, or
- which, when in contact with water, or air of high humidity, release extremely flammable gases in dangerous quantities;

“improvement notice” means a notice under section 45;

“inspector” means an inspector, including the Chief Inspector, appointed under section 40;

“maintained”, in relation to any premises, means maintained or repaired to a standard of good and effective working order, and “maintenance” shall be construed accordingly;

“medical practitioner” means a practitioner as defined in the Medical Practitioners Ordinance;
“mine” means an excavation or a system of excavations made for the purpose of, or in connection with the extraction of minerals (whether in their natural state or in solution or suspension) or of products of minerals requiring persons to be occupied underground whether full-time or part-time;

“outworker” means an employee who is employed at a place not under the control of the employer;

“personal injury” means any disease and any impairment of a person’s physical, mental or psychological condition;

“place of work” means any place where there are, or there may be at any time, persons at work, including outworkers, and includes any place where an enterprise or other activity is carried on for the purpose of gain;

“plant” includes any machinery, equipment or appliances or parts thereof;

“places” and “place,” in relation to “place of work,” mean:

(a) any establishment on or under land or offshore and any other installation whether floating or resting on the seabed or resting on other land covered with water or the subsoil thereof;

(b) any tent or movable structure;

(c) any vehicle, vessel or aircraft;

“prohibition notice” means a notice under section 46;

“quarry” means an excavation or a system of excavations made for the purpose of, or in connection with the extraction of quarry materials (whether in their natural state or in solution or suspension) or of products of quarry materials and which is not a mine or a well or a borehole or a well and borehole combined;

“risk” means risk to health and safety including the risk of causing personal injury or of adversely affecting health;

“section”, “subsection” or “Part” mean respectively section, subsection or Part of this Ordinance;

“self-employed person” means a person who works for gain or reward otherwise than under a contract of employment, whether or not he himself employs others;

“source of ignition,” in relation to the meaning of “highly flammable,” herein includes hot surfaces, high intensity light, sparks and any other source capable of producing the required energy to cause an ignition;

“substance” means any natural or artificial substance or a compound thereof whether in liquid or solid form, or in the form of gas or vapour and includes micro-organisms;

“supply”, in relation to supplying articles or substances, means supplying them by way of loan, sale, lease, hire or hire-purchase, whether directly or through an agent;

“use at work,” in connection with substances harmful to health, means any activity at work which exposes persons to harmful substances, and includes:
(a) production or preparation;
(b) handling;
(c) storage;
(d) transportation;
(e) processing or disposing of substances harmful to health;
(f) any activity which causes or results in emission of substances harmful to health;
(g) maintenance, repair and cleaning of equipment and receptacles or pipes which contain substances harmful to health,

and the expression “to use at work” shall have a corresponding meaning;

“work” means work as an employee, including an outworker, or as a self-employed person and for this purpose -

(a) an employee is at work throughout the time when he is in the course of his employment, but not otherwise; and
(b) a self-employed person is at work throughout such time as he devotes to work as a self-employed person;

“works of engineering construction” has the meaning assigned by section 3 of the Factories Ordinance.

3. - (1) Subject to the provisions of subsections (2), (3) and (4) below this Ordinance shall apply to places of work.

(2) This Ordinance shall have no application in relation to a person who employs or is employed as a domestic servant in a private household.

(3) With the exception of dock works this Ordinance shall not apply to persons at work when employed on sea-going vessels.

(4) The Administrator by regulations may, having regard to military requirements or security needs, exempt any place of work or any category of persons at work from all or any provisions of this Ordinance for any period he deems necessary provided that the health and safety of persons at work is otherwise adequately safeguarded.

PART II

HEALTH AND SAFETY COUNCIL AND OTHER SAFETY REPRESENTATIVE BODIES OR OFFICERS

4. For the purposes of this Part, unless the context otherwise requires:-

“Council” means the Health and Safety Council established under section 5;
“safety committee” means the committee established under section 8;
“safety officer” means the person appointed under section 10;
“safety representative” means the person elected under section 7;
"specified establishment" means a place of work specified in an order by the Chief Officer under section 6.

5. - (1) The Chief Officer may, by order in the Gazette establish a Health and Safety Council (hereinafter referred to as “the Council”).

(2) The Council shall be under the chairmanship of the Chief Officer and its members shall be appointed and their term of office shall be determined by order of the Chief Officer published in the Gazette.

(3) The Council shall have the following functions -

(a) to advise the Chief Officer on matters concerning the prevention of accidents and generally on all matters relating to health and safety and welfare of persons at work and to the implementation of this Ordinance;

(b) to develop, propagate and maintain such activities as will influence, or create the conditions for, the promotion of the health and safety of the persons at work and of the public in relation to the activities of persons at work;

(c) to submit to the Chief Officer from time to time proposals or suggestions with regard to the measures to be adopted for better and more effective methods of work to be used for the purpose of securing the health and safety of persons at work;

(d) to advise the Chief Officer on matters concerning the making or the revision of regulations under this Ordinance in the light of the knowledge and experience acquired from the study of local conditions, international developments and technological progress.

6. - (1) This section and sections 7 to 12 shall apply to places of work where five or more persons are employed by the same employer, specified by the Chief Officer by order in the Gazette.

(2) The Chief Officer may by order in the Gazette, in relation to any place of work, not require the application of any of the provisions of sections 6 to 12 or of regulations made under section 12, or may in relation thereto apply such provisions with any amendments he deems fit, if he is satisfied that there exist adequate special arrangements for the promotion of health and safety of the persons employed therein or if he is satisfied that due to special circumstances, such provisions cannot be applied.

(3) The groups or categories of establishments specified by order of the Chief Officer under section 3 of the Safety at Places of Work Ordinance shall be deemed to have been specified for the purposes of this section.

7. - (1) Where at any specified place of work the number of persons regularly employed by the same employer is below ten, a safety representative shall be elected by such persons whose function shall be consultative.

(2) Safety representatives elected under the Safety Committees at Places of Work Ordinance and regulations made thereunder shall be deemed to have been elected under subsection (1) above.
General duties of persons concerned with premises to persons other than their employees.

Ordinance 1/89.
P.I. Nos.3/89 and 23/94.

Safety Committees at specified establishments where persons employed by different employer.

Safety officer.

Ordinance 1/89.

Union of two or more specified establishments.

Regulations concerning representatives, officers and safety committees.

8. - (1) Where at any specified place of work the number of persons regularly employed therein by the same employer is ten or more, a safety committee shall be established by such employer, the function of which shall be consultative.

(2) Where at any specified place of work there exists more than one department with ten or more persons regularly employed by the same employer in each such department, the said employer may establish a safety committee for each department.

(3) Safety committees established under the Safety at Places of Work Ordinance and regulations made thereunder shall be deemed to have been established under subsection (1) above.

9. In any specified place of work where there is a safety representative or a safety committee and where less than five persons are employed by another employer, such safety committee or safety representative may act also for the employees of that other employer.

10. - (1) At every specified place of work where the persons regularly employed therein by the same employer exceed two hundred in number, a safety officer, approved by the Chief Officer, shall be appointed by the employer to act on a full-time basis.

(2) The Chief Officer may require an employer, who regularly employs at more than one specified place of work two hundred employees or more, to appoint a full-time safety officer.

(3) A safety officer must have adequate knowledge and experience in order to be able to control and manage all matters concerning the health and safety of the persons employed at the specified place of work, to conduct inspections, to make recommendations and to organise lectures on subjects relating to health and safety at work.

(4) Safety officers appointed under section 7 of the Safety at Places of Work Ordinance shall be deemed to have been appointed under this section.

11. The Chief Officer may approve two or more specified places of work operating in the same vicinity to be treated as one specified establishment for the purposes of the requirements of sections 6 to 12.

12. - (1) The Administrator may make regulations in relation to the election of safety representatives, for the establishment of safety committees and the appointment of safety officers.

(2) Without prejudice to the generality of the preceding subsection (1), regulations made under this section may-

(a) provide for the constitution, functions and responsibilities of safety committees;

(b) provide for the method of election or, as the case may be, appointment of safety representatives or safety officers and for their respective functions and responsibilities.

PART III

DUTIES OF EMPLOYERS, EMPLOYEES AND SELF-EMPLOYED PERSONS

13. - (1) It shall be the duty of every employer, so far as is reasonably practicable, to ensure the health, safety and welfare at work of all his employees.
(2) Without prejudice to the generality of an employer's duties under the preceding subsection and under Parts IV and V, the matters to which that duty extends include in particular-

(a) the provision and maintenance of plant and systems of work that are, so far as is reasonably practicable, safe and without risks;

(b) arrangements for securing, so far as is reasonably practicable, safety and absence of risks in connection with the use, handling, storage and transport of articles and substances;

(c) the provision of such information, instruction, training and supervision for the purpose of ensuring, so far as is reasonably practicable, the health and safety at work of his employees;

(d) the maintenance of any place of work under the employer's control, so far as is reasonably practicable, in a condition that is safe and without risks and the provision and maintenance of means of access to and egress from such place of work that are safe and without risks;

(e) the provision and maintenance of a working environment for his employees that is, so far as is reasonably practicable, safe, without risks, and adequate as regards facilities and arrangements for their welfare at work.

(3) For the purposes of discharging their responsibilities under subsections (1) and (2) above employers shall adopt and implement the following general principles of health and safety -

(a) avoidance and prevention of risks;

(b) assessment of those risks which cannot be avoided or prevented;

(c) combatting and dealing with risks at their source;

(d) adaptation of the working methods to the capabilities of the employee, having regard to the nature of the work and the plant to be used or operated by the employee;

(e) adoption of technological advancement and developments;

(f) the replacement of things that are dangerous by things that are safe or less dangerous;

(g) the planning within a cohesive overall framework of preventative and protective measures which take into account technological advancement, conditions and organisation of work, the effects of environmental factors at work and the relationship between the management, the workers or their representatives and the responsible authorities of the Republic or the Sovereign Base Areas;

(h) the adoption of measures for the collective protection of employees in preference to the adoption of measures for the protection of individual employees;

(i) the provision of suitable instructions in relation to health and safety at work to employees.
It shall be the duty of every employer to take all steps necessary to ensure that all plant which is for use by persons at work is suitable or suitably adapted for such use without exposing persons at work to risks.

It shall be the duty of every employer to conduct his activities in such a way to ensure, as far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risk, such duty to include the provision of adequate information about such aspects of his undertakings as might affect such person’s health or safety.

Where two or more employers are conducting their activities at any place of work, they shall co-operate with each other and with any self-employed persons using the same place of work, to ensure, so far as is reasonably practicable, the health and safety of all persons at work therein.

No employer shall levy or permit to be levied on any employee of his any charge in respect of anything done or provided in pursuance of this Ordinance.

The duty of every employer to ensure the health at work of all his employees shall include the duty, as far as is reasonably practicable, to protect the reproductive function of his employees and the duty to protect female employees during their pregnancy from risks to the foetus, and for a sufficient time after childbirth from risks to them or the newborn child during lactation.

It shall be the duty of every employer to make suitable arrangements to enable his employees to report with the minimum of delay to their immediate superiors or other responsible persons any matter which they have reasonable cause to believe presents imminent and serious risk to health and safety. Where in consequence, corrective measures are found to be necessary, employees shall not be required to remain at or return to their place of work until such measures have been taken. Disciplinary action by an employer against his employees in respect of absence from work in these circumstances shall be prohibited.

It shall be the duty of every employer to consult with his employees or their representatives on matters concerning health and safety at work and for the purpose of making and maintaining arrangements for effective co-operation in the promotion and application of measures to ensure the health, safety and welfare of his employees.

It shall be the duty of every self-employed person to conduct his activities in such a way as to ensure, as far as is reasonably practicable, that he and other persons who may be affected thereby are not thereby exposed to risk.

It shall be the duty of every self-employed person to furnish to persons who may be affected by his activities such information about such aspects of the manner in which he conducts his activities or carries out his work as might affect their health or safety.

Where two or more self-employed persons conduct their activities at any place of work, they shall co-operate with each other and with any employers using the same place of work to ensure, so far as is reasonably practicable, the health and safety of all persons at work therein.
15. - (1) It shall be the duty of every employee while at work -

(a) to take reasonable care to ensure the health and safety of himself and of other persons who may be affected by his acts or omissions at work;

(b) to co-operate with his employer or any other person in the discharge of any requirement or duty imposed upon the employer or that other person under this Ordinance;

(c) to use the protective equipment or clothing provided by the employer in accordance with the provisions of this Ordinance.

(2) Where an employee has reasonable cause to believe that there exists a matter which creates imminent and serious risk to the health and safety of himself or to other persons at work which cannot be dealt with immediately, he shall forthwith report this to his employer, immediate superior or other responsible person.

(3) No person shall intentionally or recklessly interfere with or misuse anything provided in the interests of health, safety and welfare in pursuance of this or any other Ordinance.

16. - (1) This section has effect for imposing on persons duties in relation to those who -

(a) are not their employees; but

(b) use non-domestic premises made available to them as a place of work or as a place where they may use plant or substances provided for their use therein, and applies to premises so made available and other non-domestic premises used in connection with them.

(2) It shall be the duty of each person who has, to any extent, control of premises to which this section applies or of the means of access thereto or egress therefrom or of any plant or substance in such premises to take such measures as it is reasonable for a person in his position to take to ensure, so far as is reasonably practicable, that the premises, all means of access thereto or egress therefrom available for use by persons using the premises, and any plant or substance in the premises or, as the case may be, provided for use therein, is or are safe and without risks to health.

(3) Where a person has, by virtue of any contract or tenancy, an obligation of any extent in relation to -

(a) the maintenance, alteration or repair of any premises to which this section applies or any means of access thereto or egress therefrom; or

(b) the safety of or the absence of risks to health arising from plant or substances in any such premises,

that person shall be treated, for the purposes of subsection (2) above, as being a person who has control of the matters to which his obligation extends.

(4) Any reference in this section to a person having control of any premises or matter is a reference to a person having control of the premises or matter in connection with the carrying on by him of a trade, business or other undertaking (whether for profit or not).
17. - (1) It shall be the duty of any person who designs, manufactures, imports or supplies any article for use at work -

(a) to ensure, so far as is reasonably practicable, that the article is so designed and constructed that it will be safe and without risks to health at all times when it is being set, used, cleaned or maintained by a person at work;

(b) to carry out or arrange for the carrying out of such testing and examination as may be necessary for the performance of the duty imposed on him by the preceding paragraph;

(c) to take such steps as are necessary to secure that persons supplied by that person with the article are provided with adequate information about the use for which the article is designed or has been tested and about any conditions necessary to ensure that it will be safe and without risks to health at all such times as are mentioned in paragraph (a) above and when it is being dismantled or disposed of; and

(d) to take such steps as are necessary to secure, so far as is reasonably practicable, that persons so supplied are provided with all such revision of information provided to them by virtue of the preceding paragraph as are necessary by reason of its becoming known that anything gives rise to a serious risk to health or safety.

(2) It shall be the duty of any person who erects or installs any article for use at work in any premises where that article is to be used by persons at work, to ensure, so far as is reasonably practicable, that nothing about the way in which the article is erected or installed makes it unsafe or a risk to health at any such time as is mentioned in paragraph (a) of subsection (1).

(3) It shall be the duty of any person who manufactures, prepares or supplies any substance -

(a) to ensure, so far as is reasonably practicable, that the substance will be safe and without risks to health at all times when it is being used, handled, processed, stored or transported by a person at work or in premises to which section 16 above applies;

(b) to carry out or arrange for the carrying out of such testing and examination as may be necessary for the performance of the duty imposed on him by the preceding paragraph;

(c) to take such steps as are necessary to secure that persons supplied by that person with the substance are provided with adequate information about any risks to health or safety to which the inherent properties of the substance may give rise, about the results of any relevant tests which have been carried out on or in connection with the substance and about any conditions necessary to ensure that the substance will be safe and without risks to health at all such times as are mentioned in paragraph (a) above and when the substance is being disposed of; and

(d) to take such steps as are necessary to secure, so far as is reasonably practicable, that persons so supplied are provided with all such revisions of information provided to them by virtue of the preceding paragraph as are
necessary by reason of its becoming known that anything gives rise to a serious risk to health or safety.

(4) Nothing in the preceding provisions of this section shall be taken as requiring a person to repeat any testing or examination which has been carried out otherwise than by him or at his instance in so far as it is reasonable for him to rely on the results thereof for the purposes of those provisions.

PART IV

HEALTH AND WELFARE - GENERAL PROVISIONS

18. - (1) Except as may be prescribed, the following places of work shall be exempt from the provisions of this Part -

(a) vehicles, vessels, aircraft and other means of transportation and places of work within such means of transportation;
(b) sites of building operations and works of engineering construction;
(c) the location or sites of excavation industries, other than buildings thereon used by persons at work and for storage;
(d) fishing craft;
(e) fields, forests and other land where agricultural works are carried on, other than buildings thereon used by persons at work or for storage.

(2) For the purposes of this Part and Part V, the duty to comply with requirements specified therein shall be that of the employer of the persons at work at the place of work to which such requirements apply, unless the employer is not the owner or occupier of the said place of work and is not in sufficient control thereof as to enable him to so comply, in which case, the said duty to comply shall be that of the owner or occupier or the person who has such sufficient control.

19. All places of work shall be kept clean and free of effluvia arising from any drain, sanitary convenience or other source.

20. A place of work shall not, while work is carried on, be so overcrowded as to cause risk of injury to the health of persons working therein. For the purposes of this section, in determining whether any place of work is overcrowded, regard shall be had to the working area, the number of persons who work therein and to the space taken up by plant, furniture, equipment, utensils and other objects in that working area.

21. - (1) Effective and suitable provision shall be made for securing and maintaining adequate ventilation in each work room at the place of work by natural or artificial circulation of fresh air.

(2) Effective and suitable provision shall be made, so far as is reasonably practicable, for securing and maintaining reasonable temperatures and levels of humidity in each work room at the place of work. The systems and installations used for such purposes, shall operate in such a way as to prevent the escape in the atmosphere of the place of work of any fumes, substances or micro-organisms of such nature or concentration as may be harmful to the health of or annoying to persons at work.
22. Effective provision shall be made for securing and maintaining in every part of the place of work where persons are working or passing, including sanitary conveniences, washing facilities, areas where clothing is kept, dressing rooms or places where meals are taken, sufficient and suitable lighting, whether natural or artificial.

23. - (1) All floors of places of work where work is carried on and all corridors to and from such places shall be constructed of impervious materials properly and securely laid.

(2) Where at a place of work any process is carried on which may cause accumulation on the floor of such quantity of liquid capable of being removed by drainage, effective means shall be provided and maintained for draining off the liquid.

24. - (1) Sufficient and suitable sanitary conveniences at places of work for persons at work shall be provided, maintained and kept clean.

(2) There shall be provided and maintained for the use of persons at work adequate and suitable facilities for washing and cleaning, corresponding to the nature of their work, conveniently accessible and shall be maintained and kept clean and in an orderly condition.

25. There shall be provided and maintained at suitable points in the place of work conveniently accessible to all persons at work, an adequate supply of wholesome drinking water.

26. There shall be provided and maintained in the place of work adequate and suitable accommodation for the clothing of persons at work and where they must wear special working clothes, there shall be provided suitable changing rooms of adequate size furnished with seats.

27. Where persons at work have in the course of their employment opportunities for sitting without detriment to their work, there shall be provided and maintained for their use suitable facilities for sitting.

28. - (1) There shall be provided at every place of work adequate and suitable equipment and facilities and other means for enabling first aid to be administered to persons at work.

(2) Every self-employed person shall have available such equipment, sufficient and suitable in the circumstances, to enable him to administer first aid to himself while he is at work.

29. Where required, suitable rest rooms for persons at work shall be made available at places of work separate from the work rooms. The requirement to provide such rest rooms will depend on the number of persons working at the place of work, the nature of the work and such other factors as shall be prescribed.

30. All places of work shall be provided with a means of access, both to and within the said place and in the parking facilities and sanitary conveniences, sufficient to meet the needs of disabled persons employed there.

PART V

SPECIAL PROVISIONS RELATING TO FIRE PRECAUTION, ACCIDENT PREVENTION AND HARMFUL SUBSTANCES.

31. - (1) All premises used as places of work shall have adequate means of escape in the case of danger and such means of fighting
fire as may reasonably be required by the circumstances prevailing in such premises.

(2) Any means of escape such as is prescribed in subsection (1) above, shall lead directly to a place of safety and shall not expose any persons using it to unnecessary risks. The number, position and dimensions of the escape routes shall be proportionate to the use, equipment and dimensions of the premises as well as the maximum number of persons who may be employed there.

(3) All doors intended to be used as a means of escape from such premises in the case of fire or other danger, shall be so constructed as to open outwards and shall be properly maintained. Sliding and revolving doors shall not be used as such means of escape.

(4) Effective measures shall be taken in all such premises to ensure that all persons at work are familiar with the means of escape in the case of fire or danger and with the procedure to be followed in such cases.

(5) Any door intended as an emergency exit from any such premises or any enclosed space within such premises, shall not be locked or fastened in such a way as not to be easily and instantly opened from the inside while any person is at work therein, or during the time such person spends in taking meals.

(6) In such premises, every door or other opening intended to be used as a means of escape in the case of fire or danger, or which provides access thereto, shall be distinctly, conspicuously and continuously marked in letters of adequate size and suitable colour on a suitable background in the language that is understood by the persons at work to indicate that it is an emergency exit.

(7) Emergency exits or routes leading to emergency exits in such premises requiring lighting, shall be provided with an auxiliary means of lighting of adequate intensity in case the ordinary lighting fails.

(8) The contents of every room or corridor in such premises shall be so arranged or situated as not to obstruct the use of such emergency exits or routes.

(9) All stocks of extremely flammable, highly flammable or flammable substances shall be kept in fireproof stores or in safe places outside any building in which there are persons at work. Such stores shall not be situated in such a position as to cause danger to the means of escape from the building or part thereof in case of fire therein.

32. - (1) All premises used as places of work shall be provided with sufficient and suitable fire-fighting equipment. Such equipment shall be maintained and tested by competent persons at regular intervals to ensure its effectiveness for use. Non-automatic equipment shall be placed in accessible positions and shall be easy to operate with a minimum exposure to risk to the operator.

(2) The positions where such equipment is placed, shall be clearly and suitably marked.

(3) In all places where fire-fighting equipment is required to be installed, there shall be employed an adequate number of persons properly trained in its use.
33. - (1) Where, in connection with any process at a place of work, there may escape any dust, steam or gas of such a character and to such an extent as to be liable to explode on ignition, all reasonably practicable steps shall be taken to prevent such explosions by enclosing the plant used in such process, and by removing or preventing the accumulation of any dust, steam or gas that may escape in spite of the enclosure and by excluding or effectively enclosing the possible sources of ignition.

(2) Where any part of a plant contains any explosive or flammable gas or vapour under pressure greater than atmospheric pressure, that part of the plant shall not be opened, unless sufficient and adequate steps are taken to avoid risks to persons at work.

34. - (1) There shall be provided at all places of work a sufficient and unobstructed space around any machinery located therein to enable work to be carried on at or around such machinery without risks to persons at work.

(2) Where at any place of work a person is liable to fall a distance more than two metres, means shall be provided, so far as is reasonably practicable, by fencing or otherwise for ensuring his safety.

(3) All buildings, floors, stairs, staircases, passages and corridors in places of work shall be of sound construction and made from materials that do not emit dangerous odours, and shall be properly maintained and kept free of any obstructions and substances or materials which are likely to cause persons to slip.

(4) Where, in any such place, extremely flammable, highly flammable, flammable or oxidising substances are used, or where dust of such a character and density is produced or emitted which is likely to explode or ignite, all buildings, floors, stairs, staircases, passages and corridors shall be constructed using fireproof materials.

(5) The internal or external staircases of buildings in such places shall be provided with at least one handrail and shall be properly maintained.

(6) All open sides of staircases shall be protected by secure and suitable railings or fencing or other effective means which shall be properly maintained.

(7) All openings in floors at places of work shall be securely fenced or otherwise covered.

35. - (1) In any place of work where electricity is generated, transformed, carried, distributed or used for any purpose, all equipment, apparatus and conductors shall be of adequate size and suitable for the work for which they are intended and so far as is reasonably practicable, shall be constructed, installed, protected, operated and maintained in such a manner as to prevent any risk.

(2) For the purposes of the foregoing subsection “risk” means risk from electrocution, burning or other bodily injury to persons at work or other persons affected by their activities or from fire resulting from the generation, transformation or use of electric energy.

36. - (1) Subject to the provisions of subsection (2) below effective measures shall be taken to prevent the exposure of persons at work to substances harmful to health, and where this is not reasonably practicable, suitable steps shall be taken adequately to control such exposure.
(2) Subject to the provisions of subsection (3) the prevention or control of exposure of persons at work to substances harmful to health, shall be attained by acting in accordance with the general principles of prevention set out in subsection (3) of section 13.

(3) Where the measures provided in subsections (1) and (2) above are not adequate to prevent or effectively control the exposure of persons at work to substances harmful to health and safety, in addition to those measures suitable protective equipment or clothing shall be provided and used. Such equipment and clothing shall be properly maintained and all necessary steps shall be taken to ensure that it is used by persons at work likely to be so exposed.

(4) Subsections (1) and (2) of this section shall be construed as requiring every employer or self-employed person, so far as is reasonably practicable, to protect all persons at work and all other persons from exposure to such substances under their control when such substances are used at work.

(5) No person shall allow the use at work of any substance harmful to health, the import of which has been prohibited by any Ordinance, regulation or order or by any law of the Republic.

(6) No employer shall allow the use at work of any substance harmful to health where the container or other means of packing containing the substance does not bear such markings, and is not accompanied by such documents as to its safe use, as are required by regulations made under this Ordinance.

(7) In this section “substances harmful to health” means -

(a) substances prescribed as harmful to health by regulations made under this Ordinance, or

(b) dust of any kind when present at a high density in the atmosphere, or

(c) micro-organisms, including any biological entities capable of reproduction, which are harmful to the health of any person.

37.-(1) Subject to the provisions of subsection (2) below effective measures shall be taken to prevent the exposure of persons at work to noise, and where this is not reasonably practicable, measures shall be taken adequately to control such exposure.

(2) Subject to the provisions of subsection (3) below the prevention or control of exposure to noise shall be attained by taking measures in accordance with the general principles of prevention set out in subsection (3) of section 13.

(3) Where the measures taken in accordance with subsections (1) and (2) above are not adequate to prevent or effectively to control the exposure to noise of persons at work, ear defenders or other protective equipment shall be provided and used. Such equipment shall be properly maintained and all necessary steps shall be taken to ensure its use.

(4) Subsections (1) and (2) above shall be construed as requiring any employer or self-employed person, so far as is reasonably practicable, to protect persons at work and any other person likely to be affected by noise, from exposure to such noise the source of which is under the control of the employer or the self-employed person as the case may be.
(5) In this section "noise" includes any noise which causes injury or impairment to hearing or which is otherwise harmful to health.

PART VI
REGULATIONS FOR HEALTH AND SAFETY AND CODES OF PRACTICE

38. - (1) The Administrator may make regulations for the purposes of further securing the health, safety and welfare of persons at work and for further protecting persons other than persons at work against risks arising out of or in connection with the activities of persons at work.

(2) Without prejudice to the generality of the preceding subsection (1) such regulations may provide for any of the purposes referred to in the Schedule to this Ordinance.

(3) The regulations referred to in the preceding subsections (1) and (2) may -

(a) impose further duties in relation to the provisions of this Ordinance;

(b) provide for exemptions from any of the requirements or prohibitions of this Ordinance;

(c) provide for certain groups of persons or categories of work to be exempt from the requirements under the provisions of Part III or to extend those requirements to such groups or categories in respect of which those requirements do not apply under this Ordinance.

39. For the purpose of providing practical guidance with respect to the duties and requirements imposed by this Ordinance and of any regulations made thereunder, the Chief Officer may approve and issue by order to be published in the Gazette such codes of practice, as are suitable for that purpose and may from time to time revise, amend or withdraw them.

PART VII
APPLICATION AND ENFORCEMENT

40. - (1) The Chief Officer shall be responsible for the application and enforcement of this Ordinance and for this purpose may appoint Inspectors and other officers and may appoint a Chief Inspector to regulate the matters and the manner in which Inspectors exercise their powers and carry out inspections, examinations, tests, checks, surveys and investigations for the purposes of this Ordinance and may terminate such appointments.

(2) The Administrator by order in the Gazette may prescribe those fees payable for the carrying out of such inspections, examinations, tests, checks, surveys or investigations and for the remuneration of Inspectors and persons authorised under subsection (3) below.

(3) The Chief Officer may authorise suitably qualified persons to perform such duties of an Inspector as are specified in the authorisation. Any such person shall act under the supervision and instructions of the Chief Inspector.

(4) The Chief Inspector, Inspectors and other officers or persons appointed or authorised under this section shall be furnished with suitable means of identification.
41. - (1) For the purposes of enforcing this Ordinance and ensuring the provision of adequate advice and information to him and the collection of information and the carrying out of investigations concerning the securing and improvement of the conditions of health of persons at work, the Chief Officer shall appoint suitably qualified registered medical practitioners to be known as occupational doctors and may terminate such appointments.

(2) An occupational doctor appointed under subsection (1) above may exercise such of the powers granted to Inspectors under section 44 as the Chief Officer may prescribe.

42. - (1) The Chief Officer may appoint medical practitioners, to be known as examining doctors, for the purpose of carrying out such medical examinations as may be prescribed.

(2) The Administrator by order in the Gazette may prescribe those fees payable by employers or by self-employed persons for such medical examinations by examining doctors as may be required to be carried out in compliance with this Ordinance and for such fees to be paid directly to examining doctors.

43. - (1) The Chief Officer may direct a formal investigation by a suitably qualified and experienced person, on such terms and conditions as he may specify, into the cause of any accident or other untoward event at any place of work.

(2) Every person carrying out a formal investigation under subsection (1) above shall have all the powers of an Inspector under section 44.

44. - (1) An Inspector may, for the purposes of carrying into effect the provisions of this Ordinance, exercise the powers set out in subsection (2) below.

(2) The powers of an inspector referred to in the preceding subsection are the following, namely -

(a) at any reasonable time (or, in a situation which in his opinion is or may be dangerous, at any time) to enter any premises which he has reason to believe it is necessary for him to enter for the purpose mentioned in subsection (1) above;

(b) to take with him a police officer if he has reasonable cause to apprehend any serious obstruction in the execution of his duty. A police officer shall be under a duty to accompany an Inspector whenever so requested;

(c) without prejudice to the preceding paragraph, on entering any premises by virtue of paragraph (a) above, to take with him:

   (i) any other person duly authorised by his Chief Officer; and

   (ii) any equipment or materials required for any purpose for which the power of entry is being exercised;

(d) to make such examination and investigation as may in any circumstances be necessary for the purpose mentioned in subsection (1) above;
(e) as regards any premises which he has power to enter, to
direct that those premises or any part of them, or anything
therein, shall be left undisturbed (whether generally or in
particular respects) for so long as is reasonably necessary
for the purpose of any examination or investigation under
paragraph (d) above;

(f) to take such measurements and photographs and make such
recordings as he considers necessary for the purpose of any
examination or investigation under paragraph (d) above;

(g) to take samples in the prescribed manner of any articles or
substances found in any premises which he has power to
enter, and of the atmosphere in or in the vicinity of any such
premises;

(h) in the case of any article or substance found in any premises
which he has power to enter, being an article or substance
which appears to him to have caused or to be likely to
cause danger to health or safety, to cause it to be dismantled
or subjected to any process or test (but not so as to damage
or destroy it unless this is in the circumstances necessary
for the purpose mentioned in subsection (1) above);

(i) in the case of any such article or substance as is mentioned
in the preceding paragraph, to take possession of it and
detain it for so long as is necessary for all or any of the
following purposes, namely:

(i) to examine it and do to it anything which he has power
to do under that paragraph;

(ii) to ensure that it is not tampered with before his
examination of it is completed;

(iii) to ensure that it is available for use as evidence in any
proceedings for an offence under this or any other
Ordinance;

(j) to require any person whom he has reasonable cause to
believe to be able to give any information relevant to any
examination or investigation under paragraph (d) above to
answer (in the absence of persons other than a person
nominated by him to be present and any persons whom the
inspector may allow to be present) such questions as the
inspector thinks fit to ask and to sign a declaration of the
truth of his answers;

(k) to require the production of, inspect, and take copies of or
of any entry in -

(i) any books or documents which by virtue of any of the
provisions of this or any other Ordinance are required
to be kept; and

(ii) any other books or documents which it is necessary for
him to see for the purposes of any examination or
investigation under paragraph (d) above;

(l) to require any person to afford him such facilities and
assistance with respect to any matters or things within that
person's control or in relation to which that person has
responsibilities as are necessary to enable the inspector to
exercise any of the powers conferred on him by this section;
(m) any other power which is necessary for the purpose mentioned in subsection (1) above.

(2) Where under the powers conferred on him under paragraph (i) of subsection (1) above, an Inspector takes possession of any article or substance found in any place of work, he shall leave there, either with a responsible person or, if that is impracticable, fix in a conspicuous place, a notice giving particulars of that article or substance sufficient to identify it. Before taking possession of any such substance the Inspector shall, if it is practicable for him to do so, take a sample thereof and give to a responsible person at the premises a portion of the sample marked in a manner sufficient to identify it.

(3) Before exercising any power conferred on him by paragraph (h) of subsection (2) above an Inspector shall, if he considers it to be necessary, consult such persons as appear to him appropriate, for the purpose of ascertaining what possible dangers may be created by subjecting the article or substance to the process or test involved.

45. If an Inspector is of the opinion that a person -

(a) is contravening any provision of this Ordinance or of any regulations or order made thereunder; or

(b) has contravened any such provision in circumstances that make it possible for the contravention to continue or be repeated,

he may serve on him a notice (hereinafter referred to as an “improvement notice”) requiring that person to remedy the contravention or, as the case may be, the matters occasioning it within such time not being less than 14 days, as may be specified in the notice.

46. If an Inspector is of the opinion that any activity which is being carried on or which is about to be carried on in any place of work, involves or will involve risk of serious bodily injury to persons at work, he may serve on the employer or his representatives or the person under whose control such activity is carried out, a notice, (hereinafter referred to as a “prohibition notice”) prohibiting forthwith that activity until the risk involved is eliminated to the Inspector’s satisfaction.

47. - (1) For the purposes of this Ordinance, where a person on whom a notice is to be served under sections 45 or 46 is not a body corporate and where it is not possible to serve the notice on that person directly, the notice shall be deemed to have been served if it is left with any adult person at his place of residence or with a responsible person at his place of work.

(2) Where such notice is to be served on a body corporate or partnership it shall be deemed to have been served if the notice is left at the principal place of business thereof in the Areas or if it is given to -

(a) one of the partners of a partnership;

(b) a director of the body corporate;

(c) the secretary of the body corporate;

(d) the principal representative in the Areas of the body corporate or partnership; or

(e) a person having the control of the corporate body or partnership.
Service of any such notice may be proved by giving evidence orally or by swearing an affidavit.

48. Unless there is an appeal pending under section 49 -

(a) an improvement notice may be withdrawn by an Inspector or the period specified in it may be extended at any time;

(b) a prohibition notice may be withdrawn by an Inspector at any time.

49. - (1) Any person upon whom an improvement notice or a prohibition notice has been served, may within twenty one days of its service on him appeal in writing to the Chief Officer stating the grounds on which the appeal is made.

(2) On such appeal the Chief Officer may cancel or affirm the notice, and if he affirms it may do so with or without modification.

(3) In any particular case, the Chief Officer may direct that the notice appealed against be suspended pending his decision under subsection (2) above.

50. No civil or criminal proceedings shall lie against any Inspector, Chief Inspector or any other person who had or has the powers of an Inspector, in respect of anything done or ordered to be done in good faith for the purposes of this Ordinance or the regulations made thereunder.

51. - (1) Without prejudice to subsections (2) and (3) below, no person shall disclose any information with regard to a trade or industrial secret or any other information of a confidential or personal nature obtained during the exercise of the powers conferred by this Ordinance, unless the disclosure is -

(a) with the consent of the person who furnished the information or, if the information relates to another person or to such secret owned by another person, with the consent of that other person; or

(b) for the purposes of putting into effect any of the provisions of this Ordinance; or

(c) for the purposes of any criminal proceedings for an offence under this Ordinance; or

(d) for the purposes of any investigation held by or on behalf of the Chief Officer regarding the application of any of the provisions of this Ordinance.

(2) Notwithstanding anything in subsection (1) above an Inspector may, in circumstances in which it is necessary to do so for the purpose of keeping employees or their representatives adequately informed about matters affecting their health, safety and welfare at work, furnish to such employees or their authorised representatives -

(a) information relating to those places of work or to the activities carried on therein;

(b) information with respect to any measures which he has taken or proposes to take in connection with those places of work and their activities in the exercise of his duties, and where such information has been so furnished shall furnish it also to the employer of such employees.
(3) Notwithstanding anything in subsection (1) above an Inspector may furnish the information referred to in paragraph (a) of subsection (2) above to any person who has been adversely affected at his place of work or to his authorised representative provided that the information requested is to be used only for the purposes of civil proceedings and that the appropriate fee as prescribed by order in the Gazette by the Chief Officer has been paid.

52. - (1) If on a complaint made by an Inspector, the Court is satisfied that

(a) any part of the building or plant at a place of work is in such a condition or is so constructed or placed as not to be capable of being used without risk; or

(b) any process or other activity is or has been carried on at a place of work in such a way as to create a risk,

the Court may by order -

(a) prohibit the use of that part of the building or plant; or

(b) where there is a possibility of repairing or altering it, prohibit its use until such time as such repairs or alterations are carried out; or

(c) require the employer or his representative or the person responsible for the place of work or activities therein, to take such measures as may be ordered by the Court to remedy the matter in respect of which the complaint was made.

(2) Where a complaint has been made under subsection (1) above the Court may, on an ex parte application by the Inspector, and after hearing evidence that the use of any such part of the building or plant or, as the case may be, the carrying out of any process or other activity involves an imminent risk of serious injury, make an order prohibiting forthwith the use of such part of the building or plant or the carrying out of such process or activity until the final determination of the case in respect of which the complaint was brought:

Provided that the issue of such order shall be subject to the provisions of the Civil Procedure Ordinance, the Courts Ordinance and the Civil Procedure Rules.

PART VIII

OFFENCES, PENALTIES AND LEGAL PROCEEDINGS

53. - (1) Any person who fails to comply with any duty imposed on him under Parts II, III, IV or V or who contravenes any provisions of this Ordinance or any regulations or orders made thereunder, shall be guilty of an offence and shall be liable to imprisonment not exceeding two years or to a fine not exceeding ten thousand pounds or to both such penalties.

(2) Any person who contravenes -

(a) an Order of the Court;

(b) a prohibition notice or an improvement notice;

(c) any requirement of an Inspector made in accordance with his powers under section 44,

shall be guilty of an offence and shall be liable to imprisonment not exceeding two years or to a fine not exceeding ten thousand pounds or to both such penalties.
(3) Any person who -

(a) intentionally obstructs an Inspector in the exercise of his powers or the performance of his duties under this Ordinance; or

(b) prevents or attempts to prevent any other person from being interviewed by an Inspector or from answering any question to which an Inspector may require an answer; or

(c) intentionally makes a false statement which purports to be made in compliance with a requirement to furnish any information required under this Ordinance or any order or regulations made thereunder; or

(d) intentionally makes a false entry in any register, book of notices or other document required to be kept under this Ordinance or with intent to deceive uses any such entry which he knows to be false; or

(e) forges any document required under or for the purposes of this Ordinance or any order or regulation made thereunder; or

(f) signs any such document knowing it to be false in any material particular; or

(g) uses any such document which to his knowledge is false or has been forged in any material particular; or

(h) uses any such document purporting to relate to any person knowing that it does not relate to such person; or

(i) impersonates a person named in such document; or

(j) impersonates an Inspector; or

(k) discloses any information in contravention of section 51, shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding five thousand pounds or to both such penalties.

In this subsection "Inspector" shall include any person having the authority or the powers of an Inspector.

(4) The Court may, in addition to any penalty imposed under the provisions of this section, order the offender to comply with this Ordinance within such time as may be specified therein.

(5) If any person fails to comply with such order he shall be liable to imprisonment not exceeding one month or to a fine not exceeding five hundred pounds or to both such penalties, for each day on which the failure to comply continues.

(6) Nothing in this Ordinance contained shall authorise the institution of criminal proceedings against the Crown in any capacity.

(7) Notwithstanding the provisions of subsection (5), this Part of this Ordinance shall apply to persons employed by the Crown in any capacity.

(8) (a) Where an offence under any provisions of this Ordinance is committed by a body corporate and is proved to have been committed with the consent or connivance of, or to have been attributable to any
neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or a person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly;

(b) where the affairs of a body corporate are managed by its members, the preceding subsection shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

54. - (1) In any proceedings for an offence against this Ordinance where the failure of a person to comply with the duty or requirement so far as is practicable or reasonably practicable is alleged, it shall be for the accused to establish to the satisfaction of the Court that it was not practicable or reasonably practicable to do more than was in fact done to satisfy that duty or requirement.

(2) In any proceedings under this Ordinance, proof of failure of any person to observe a provision of a Code of Practice issued under section 39, shall be proof of failure to comply with the provision of this Ordinance or the regulations made thereunder to which that provision of the Code of Practice relates, unless the Court is satisfied that the related provision of this Ordinance or regulations was complied with otherwise than by the observance of that provision of the Code of Practice.

PART IX
MISCELLANEOUS PROVISIONS

55. - (1) Where, under the provisions of any other Ordinance for the time being in force in the Areas, plans and studies of any non-residential premises intended to be used as a place of work are submitted for approval, the authority responsible for such approval shall, before approving such plans and studies, be satisfied that the premises comply with the requirements of the provisions of this Ordinance.

(2) (a) Notwithstanding the provisions of subsection (1) above, the plans and studies of premises intended for use as a place of work shall be submitted also to the Chief Inspector and the authority referred to in subsection (1) above shall not approve such plans until notified by the Chief Inspector that the premises including the plant to be installed therein are, in his opinion, suitable for the purposes proposed;

(b) for the purposes of approving the plans under subsection (2), the Chief Inspector may require additional information, data, or additional plans and studies, relating to the designing, testing, selection, installation, layout, use and maintenance of such place of work, of the working environment, plant, chemical, natural and biological substances and components, as well as processes to be carried out at the place of work.

56. The Safety at Places of Work Ordinance and regulations made thereunder are hereby repealed without prejudice to anything done or left undone thereunder.
SCHEDULE
(Section 38)

PURPOSES FOR WHICH REGULATIONS MAY BE MADE

1. (1) To regulate or prohibit -
   (a) the production, supply or use of any plant;
   (b) the preparation, supply, storage or use of any substance;
   (c) the carrying on of any process or any operation.

   (2) To impose requirements with respect to the design, construction, guarding, siting, installation, trial operation, examination, maintenance, repair, alteration, adjustment, dismantling, testing or inspecting of any plant.

   (3) To impose requirements with respect to the marking of any plant or of any articles used or designed for use as fittings in any plant, and in that connection to regulate or restrict the use of specified markings.

   (4) To impose requirements with respect to the testing, marking or examination of any substance or any research in connection with any activity mentioned in sub-paragraphs (1) to (3) above.

2. To prohibit the importation into the Areas of articles or substances of any specified description, whether absolutely or under conditions imposed by regulations.

3. To prohibit or regulate the transportation in or through the Areas of any articles or substances of any specified description.

4. (1) To prohibit the carrying on of any specified activity or the execution of any specified act except under the authority and in accordance with the terms and conditions of a licence, or except with such consent or authority as may be specified.

   (2) To provide for the grant, renewal, variation, transfer or revocation of licences (including the revocation and variation of any terms and conditions attached to licences).

5. To require any person, premises or thing to be registered in any specified circumstances or conditions for the carrying on of specified activities or the execution of any specified acts.

6. (1) To require, in specified circumstances, the appointment (whether in a specified capacity or not) of persons with specified qualifications or experience or both, to perform specified functions, and to assign duties or confer powers on such persons to perform specified functions, whether in pursuance of the regulations or not.

   (2) To restrict the performance of specified functions to persons possessing specified qualifications and experience.

7. To regulate or prohibit the employment in specified circumstances of persons or any class of persons.

8. (1) To require the making of arrangements for securing the health of persons at work or other persons in the place of work including arrangements for medical examinations and health inspections and for the appointment of medical practitioners to be responsible for the carrying out of medical examinations.
(2) To require the making of arrangements for continuously monitoring the atmospheric or other conditions in which persons work.

9. To impose requirements with respect to any matter affecting the conditions in which persons work, including in particular such matters as the structural condition and stability of premises, the means of access to and egress from the premises, cleanliness, temperature, lighting, ventilation, overcrowding, noise, electricity, vibrations, ionising and other radiation, dust and fumes.

10. To secure the provision of welfare facilities for persons at work, including adequate drinking water, sanitary conveniences, washing facilities, ambulance and first-aid arrangements, cloakroom accommodation, places for the keeping of clothing, places of rest, places for taking meals and sitting and refreshment facilities.

11. To require in specified circumstances the provision and use of protective clothing or equipment, including clothing affording protection against weather conditions.

12. To require in specified circumstances the taking of precautions in connection with the detection of fire, fire alarms, protection and combatting of fire as well as the prevention of explosions.

13. - (1) To prohibit or impose requirements in connection with the emission into the atmosphere of any specified gas, smoke or dust or any other specified substance.

   (2) To prohibit or impose requirements in connection with the making of noise, or causing vibrations or any ionising or other radiations.

   (3) To require the continuous measurement of any such emissions as is mentioned in the preceding sub-paragraphs.

14. To require the provision of guidance, training and supervision of persons at work.

15. - (1) To require the notification of specified matters to specified persons in a specified manner and circumstances.

   (2) To empower Inspectors, in specified circumstances, to require the submission by persons in writing of details of measures proposed to be taken for compliance with any of the provisions of this Ordinance.

16. To require the keeping and maintenance of records and other documents, including maps and plans.

17. - (1) To require precautions to be taken against dangers to which premises or persons therein are or may be exposed by reason of conditions (including natural conditions) prevailing in the vicinity.

   (2) To ensure the escape or evacuation of persons from places of work in specified circumstances.

18. To require the doing of any specified thing where any accident or other occurrence of a specified kind has occurred.
19. To require the taking of steps with respect to organising health and safety matters at places of work.

20. To require the submission of plans and studies of places of work for specified uses.

In this Schedule “specified” means specified by the regulations made.

9th April 1999

P.A. ROTHERAM, Chief Officer

(107/6)
ORDINANCE 7 OF 1999

AN ORDINANCE

TO AMEND THE STREETS AND BUILDINGS REGULATION (CONSOLIDATION) ORDINANCE 1984

A. I. RAMSAY

ADMINISTRATOR

24th April 1999.

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 Streets and Buildings Regulation (Consolidation) (Amendment) Ordinance 1999 and shall be read as one with the Streets and Buildings Regulation (Consolidation) Ordinance 1984 as amended from time to time (hereinafter referred to as “the principal Ordinance”).

2. Section 4 of the principal Ordinance is hereby amended by inserting at the end thereof the following proviso:

Provided that in considering an application for a building permit to carry out development of any type, the appropriate authority shall, before granting such permit:

(a) have regard to the provisions of the Protection of the Environment Ordinance and the Foreshore Protection Ordinance and any regulations, orders, notices or other public instruments made thereunder;

(b) consult with the appropriate planning authority, established under the Town and Country Planning Law of the Republic, and, if deemed expedient, with any other Republican authority, on matters relating to the suitability and compatibility of the proposed development and the conditions subject to which a permit may be granted;

(c) impose such conditions as the planning authority or any other appropriate authority of the Republic may suggest, in order to secure the protection of the environment, the amenities of the public and generally the planning, architectural, aesthetic, historic, cultural and social requirement of the area where the development is to be located.

24th April 1999

P.A. ROTHERAM,
Chief Officer