



**S U P P L E M E N T No. 2**  
**TO**  
**THE SOVEREIGN BASE AREAS GAZETTE**  
**No. 1206 of 4th May 2001**  
**L E G I S L A T I O N**

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ORDINANCE 4 OF 2001

**AN ORDINANCE**  
**TO AMEND THE CONTROL (ENTRY, SETTLEMENT AND**  
**COMMERCIAL ENTERPRISES) ORDINANCE 1960**

**T.W. RIMMER**  
**ADMINISTRATOR**

12th April 2001.

**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 Control (Entry, Settlement and Commercial Enterprises) (Amendment) Ordinance 2001.

Short title.

**2.** Section 2 of the principal Ordinance is hereby amended:

Section 2 of the principal Ordinance amended.

(a) by inserting in the appropriate alphabetical position the following new definition:-

“ “appropriate Republican Law” means the Aliens and Immigration Law”; and

Cap. 105 (Laws of Cyprus).

(b) by adding at the end of the existing definition of “approved port”, the following form of words:-

“... or approved as such under the appropriate Republican Law”.”

**3.** Section 5 of the principal Ordinance is hereby amended:-

Section 5 of the principal Ordinance amended.

(a) by adding at the end of subsection (1) thereof, immediately after paragraph (n) the following new paragraph (o):-

“(o) Any person found in the Areas who did not enter the Island of Cyprus through an approved port”.

(b) by adding after subsection (3) thereof the following new subsection (4):-

“(4)(a) For the purposes of any criminal proceedings against a prohibited immigrant arising from this section, any Court of the Areas may take judicial notice of the appropriate Republican Law.

(b) For the purposes of this section the production of a copy of any part of the appropriate Republican Law –

- (i) contained in any printed collection of laws purported to be printed and published by an authority of the Republic; or
- (ii) contained in any issue of the Gazette of the Republic; or
- (iii) purported to be printed by the Government Printer of the Republic, by whatever name called,

shall be incontrovertible evidence in Court and for all purposes whatever of the due and lawful making of such law;

- (c) For the purposes of this section, a version of any part of the appropriate Republican Law in the English language –
  - (i) purported to be produced by any authority of the Republic; or
  - (ii) certified as being accurate by any officer of the Administration considered by the Court to have been at the time of such certification a competent and adequate translator into the English language from the language in which the appropriate Republican Law was published in the Republic; or
  - (iii) given or produced in the course of the oral evidence of any person whom the Court considers to be a competent translator for the purpose; or
  - (iv) stated orally in Court or produced in writing by a Registrar or official Court interpreter,

may be held by the Court to be incontrovertible evidence for all purposes whatsoever that such version is the accurate English version of the appropriate Republican Law.

*19th April 2001*  
(114/6)

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D.J. BONNER,  
Chief Officer.

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ORDINANCE 5 OF 2001

AN ORDINANCE  
TO AMEND THE POWERBOATS ORDINANCE

**T.W. RIMMER**  
**ADMINISTRATOR**

19th April 2001.

**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 Powerboats (Amendment) Ordinance 2001 and shall be read as one with the Powerboats Ordinance 1999 (hereinafter referred to as “the principal Ordinance”).

Short title.

Ordinance 8/99.

2. Section 2 of the principal Ordinance is hereby amended by-

Section 2 of the principal Ordinance amended.

(a) inserting in the appropriate alphabetical position the following new definitions:-

“ “appropriate Republican law” means the Speedboat Law 1992 and any law amending the same;

Law N.56(1)/92 (Republic).

“licence” or “licences” shall include learner’s licence, operator’s licence and powerboat circulation licence;

“powerboat circulation licence” means a licence issued by the competent authority to the owner on the competent authority being satisfied that the powerboat satisfies all the requirements relating to it under the appropriate Republican law;

(b) by amending the definition of “competent authority” to read as follows:-

“ “competent authority” means the authority of the Republic vested with the power to issue licences under the appropriate Republican law; and

(c) deleting all the words up to and including “competent authority” appearing in paragraph (b) of the definition of “operator’s licence” and substituting therefor the following words –

“until the date specified in a notice published in the Gazette by the Chief Officer”; and

- (d) adding after paragraph (c) of the definition of “operator’s licence” the following new paragraph –

“(d) any other document which under the appropriate Republican law authorises the holder to operate a powerboat”.

Section 3 of the principal Ordinance amended.

3. Section 3 of the principal Ordinance is hereby amended by substituting for subsections (1) and (2) the following two subsections:-

“(1) Except where otherwise exempt, no person shall operate a powerboat unless he is over the age of 18 years and is the holder of a valid operator’s licence or learner’s licence.

(2) For the purpose of subsection (1) above, a person shall be exempt if he is exempt from holding such licence under or by virtue of Republican law or regulations made under section 22 of this Ordinance.”

New section 7(A) added to principal Ordinance.

4. The principal Ordinance is hereby amended by adding after section 7 thereof the following new section –

“7A.(1) Except where otherwise exempt, it shall be unlawful for an owner of a powerboat to use or authorise to use or offer for hire a powerboat without there being in respect of that powerboat a valid powerboat circulation licence.”

(2) For the purposes of subsection (1) above, a person shall be exempt if he is exempt from holding such licence under or by virtue of Republican law or regulations made under section 22 of this Ordinance.

Section 22 of the principal Ordinance amended.

5. Subsection (2) of section 22 of the principal Ordinance is hereby amended as follows:

- (a) by inserting in paragraph (a), immediately after the word “categories”, the words “the marking,”;
- (b) by deleting paragraph (c) and substituting therefor the following paragraph –
 

“(c) the carrying and production for inspection of licences”;
- (c) by deleting the full stop at the end of paragraph (g), substituting it with a comma and by adding the following words:
 

“a maximum speed thereof and notification of any movement of a powerboat;”;
- (d) by substituting for the words “six months” and “five hundred” in paragraph (h) the words “two years” and “three thousand” respectively; and
- (e) by inserting immediately after paragraph (h) thereof the following new paragraphs:
  - “(i) the maintenance of records of particulars and the production of copies of documents by owners;
  - (j) the prohibition of the operation of powerboats during specified periods;
  - (k) exempting persons or classes of persons or powerboats or classes of powerboats from the application in part or in whole of the provision of the Ordinance or regulations made thereunder.”.

6. The principal Ordinance is hereby amended by adding after section 29 thereof the following new section to be numbered 30 –

New section 30  
added to principal  
Ordinance.

“ 30.- (1) In any criminal proceedings under this Ordinance the Court may take judicial notice of any appropriate Republican law, and any licence issued by the competent authority.

(2) (i) For the purposes of this section the production of a copy of any part of the appropriate Republican law –

(a) contained in any printed collection of laws purported to be printed and published by an authority of the Republic; or

(b) contained in any issue of the Gazette of the Republic; or

(c) purported to be printed by the Government Printer of the Republic, by whatever name called,

shall be incontrovertible evidence in Court and for all purposes whatsoever of the due and lawful making of such law;

(ii) For the purposes of this section, a version of any part of the Republican law in the English language –

(a) purported to be produced by any authority of the Republic; or

(b) certified as being accurate by any officer of the Administration considered by the Court to have been at the time of such certification a competent and adequate translator into the English language from the language in which the Republican law was published in the Republic; or

(c) given or produced in the course of the oral evidence of any person whom the Court considers to be a competent translator for the purpose; or

(d) stated orally in Court or produced in writing by a Registrar or official Court interpreter,

may be held by the Court to be incontrovertible evidence for all purposes whatsoever that such version is the accurate English version of the appropriate Republican law or part thereof.

(3) For the purposes of this section the production of a copy of a licence referred to in subsection (2) above or an English translation thereof, the accuracy of which or of its translation is certified in writing by a senior officer of the responsible Government Department of the Republic or by a recognised competent translator, as the case may be, may be held by the Court to be incontrovertible evidence for all purposes of the contents of such document.





