



SUPPLEMENT No. 3
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 105 of 29th MAY, 1964.
SUBSIDIARY LEGISLATION

C O N T E N T S

The following SUBSIDIARY LEGISLATION is published in this Supplement which forms part of this Gazette:-

	Not.
The Visiting Forces Act, 1952 and the Visiting Forces Act (Application to Colonies) Orders 1954 to 1962—	
Order made under Section 8	25
The Land Acquisition Ordinance—	
Notice under Sections 2, 3 and 5	26
Notice under Section 6	27
The Motor Vehicles (Third Party Insurance) Ordinance—	
Order under Section 2	28
Order under Section 2	29

No. 25

THE VISITING FORCES ACT, 1952
AND
THE VISITING FORCES ACT (APPLICATION TO
COLONIES) ORDERS, 1954 TO 1962.

ORDER MADE BY THE ADMINISTRATOR.

DENIS BARNETT,
ADMINISTRATOR.

In exercise of the powers vested in me by section 8 of the Visiting Forces Act, 1952, as extended to the Areas by the Visiting Forces Act (Application to Colonies) Orders 1954 to 1962, and as read together with the Visiting Forces (Designation) (Colonies) Orders, 1954 to 1962, I, the Administrator, do hereby order as follows:-

1. This Order may be cited as the Visiting Forces (Application of Law) (Amendment) Order, 1964, and should be read as one with the Visiting Forces (Application of Law) Order, 1964 (hereinafter referred to as "the principal Order").

2. Paragraph 3 of the principal Order is hereby amended by deleting in sub-paragraph (1) thereof the word "Ghana".

3. The principal Order is hereby amended by deleting the Second Schedule thereto and substituting therefor the following:-

"SECOND SCHEDULE

**PROVISIONS RELATING TO SERVICE COURTS
OF VISITING FORCES.**

CIVILIAN WITNESSES.

1. Subject to the provisions of this Schedule, any person required as a witness for the purposes of a service court of a visiting force (not being a person subject to the Naval Discipline Act, 1957, to military law or to air-force law, or a person subject to the jurisdiction of the service authorities of a country in accordance with section two of the Visiting Forces Act, 1952) may be summoned or ordered to attend the court by any officer of the home forces who would have power to summon him to attend if the service court were a court-martial held in pursuance of the Army Act, 1955, or the Air Force Act, 1955.

2. An officer shall not issue a summons or order for the

attendance of any person as a witness under the foregoing paragraph unless it appears to him that it is reasonably practicable to procure that person's attendance, and that provision for the reasonable expenses of his attendance has been or will be made.

SERVICE WITNESSES.

3. Any person required as a witness for the purposes of a service court of a visiting force, being a person subject to the Naval Discipline Act, 1957, to military law or to air-force law, may, in accordance with arrangements made in that behalf between the service authorities of the sending country and the Defence Council, be ordered to attend that court by the proper naval, military or air force authority,

GENERAL PROVISIONS.

4. Nothing in this Schedule shall compel any person to give or produce any evidence which he could not lawfully be compelled to give or produce in any court of criminal jurisdiction in England.

5. A witness before a service court of a visiting force, and any other person whose duty it is to attend on or before such a court, shall be entitled to the same immunities and privileges as a witness before the High Court in England.

6. Any enactment or rule of law with respect to privilege in proceedings for defamation shall apply in relation to a court-martial held in pursuance of the Naval Discipline Act, 1957, the Army Act, 1955, or the Air Force Act, 1955.

7. Any oath required to be taken for the purposes of a service court of a visiting force may be administered by the person authorised in that behalf under the service law of the sending country.

8.—(1) In relation to any person summoned or ordered to attend a service court by virtue of this Schedule, the relevant enactments shall apply (subject to the following provisions of this paragraph) as if the service court were a court-martial and the proceedings were proceedings under the relevant Act, and any reference in those enactments to anything duly required or lawfully required, or to anything required or falling to be done under the relevant Act or any provisions thereof, shall be construed accordingly.

(2) In this paragraph "the relevant enactments"—

(a) in relation to a person summoned or ordered to attend by virtue of paragraph 1 of this Schedule,

means section 101 of the Army Act, 1955 (which relates to offences by civilians in relation to courts-martial);

- (b) in relation to a person ordered to attend by virtue of paragraph 3 of this Schedule, being a person subject to the Naval Discipline Act, 1957, means subsection (1) of section 38 of that Act (which relates to offences in relation to courts-martial by persons subject to that Act) and so much of section 60 of that Act (as modified by the Oaths Act, 1961) as provides for a person to be permitted or enables a person to be required, to make a solemn affirmation instead of taking an oath; and
- (c) in relation to a person ordered to attend by virtue of paragraph 3 of this Schedule, being a person subject to military law or to air-force law, means subsection (1) of section 57 of the Army Act, 1955, or of the Air Force Act, 1955 as the case may be (which relates to offences in relation to courts-martial by persons subject to military law or air-force law) and section 102 of the Army Act, 1955, or of the Air Force Act 1955, as the case may be (whereby, as modified by the Oaths Act, 1961, a person is in certain circumstances to be permitted, or may be required, to make a solemn affirmation instead of taking an oath),

and "the relevant Act" means the Naval Discipline Act, 1957, the Army Act, 1955, or the Air Force Act, 1955, as the case may be.

(3) The relevant enactments, as applied by sub-paragraph (1) of this paragraph, shall have effect subject to the provisions of paragraphs 4 and 5 of this Schedule, and subject to any rule of law with respect to Crown privilege.

(4) Sub-paragraph (1) of this paragraph shall not enable a person to be tried by a service court of a visiting force for an offence under any of the relevant enactments as applied by that sub-paragraph; and accordingly in subsection (1) of section 57 of the Army Act, 1955, or of the Air Force Act, 1955, as applied by that sub-paragraph, the reference to conviction by a court-martial, other than the court in relation to which the offence was committed, shall be construed as a reference to conviction by court-martial."

4. The Third Schedule to the principal Order is hereby amended—

- (i) by deleting the words "the Admiralty or" appearing

respectively in the third lines of paragraphs 1 and 2 thereof, and in the eighth line of paragraph 3 thereof; and

- (ii) by deleting in paragraph 4 thereof the words "The Admiralty, the Army Council and the Air Council" and substituting therefor the words "The Defence Council".

Made at Episkopi, this 23rd day of May, 1964.

No. 26

THE LAND ACQUISITION ORDINANCE

(Cap. 226 - Laws of Cyprus
and Ordinance 12 of 1963).

NOTICE UNDER SECTIONS 2, 3 and 5.

Whereas it has been represented to the Administrator that it is desirable for military (including Royal Air Force) purposes to erect a new pumping station within the lands of the village of Kolossi, in so far as they lie within the Sovereign Base Area of Akrotiri, the cost whereof is to be borne by Her Majesty's Secretary of State for Defence:

Now, therefore, in exercise of the powers vested in him by Section 2, 3 and 5 of the Land Acquisition Ordinance, the Administrator has been pleased to declare the establishment of the said pumping station to be an undertaking of public utility and has been pleased to authorise the carrying out of the said undertaking and to entrust the supervision and effectuation of the said undertaking to the Regional Director (Cyprus), Ministry of Public Building and Works and the Senior Lands Officer, Ministry of Defence Lands Office, Headquarters, Near East Air Force, Episkopi.

Made this 23rd day of May, 1964.

By the Administrator's Command,
E. BROADBENT,
Chief Officer,
Sovereign Base Areas.

No. 27

THE LAND ACQUISITION ORDINANCE

(Cap. 226 - Laws of Cyprus
and Ordinance 12 of 1963).

NOTICE UNDER SECTION 6.

With reference to Public Instrument No. 26 in this Supplement, notice is hereby given that the following land and easement are required for the undertaking of public utility mentioned therein:-

The land and easement for the purposes of laying, using and maintaining an underground water pipe together with a right of access thereto on foot only in, over or under the privately owned land, represented by the area coloured red and a blue line respectively on the Government Survey plan, Kolossi (village), sheet LVIII, plan 14, being part of Plot 58/1/1, amounting to 1 donum, 1 evlek and 400 square feet, signed by the Senior Lands Officer and dated the 24th April, 1964.

Any person claiming to have any right or interest in the said land and easement who objects to the acquisition is required, within ten days from the date of the publication of this notice, to send me a statement of his right and interest and of the evidence thereof, and of any claim made by him in respect of such right or interest.

Her Majesty's Secretary of State for Defence is willing to treat for the acquisition of the said land and easement.

A plan showing the land described above is available for inspection at the Area Office, Sovereign Base Area, Akrotiri.

Dated this 25th day of May, 1964.

O.F. MUFTIZADE,
Area Officer,
Akrotiri Sovereign Base Area.

No. 28

THE MOTOR VEHICLES (THIRD PARTY INSURANCE)
ORDINANCE

(Cap. 333 and 7 of 1960 - Laws of Cyprus).

ORDER UNDER SECTION 2.

In exercise of the powers vested in him by section 2 of the Motor Vehicles (Third Party Insurance) Ordinance, the Administrator has been pleased to make the following Order:-

1. This Order may be cited as the Motor Vehicles (Third Party Insurers) (Amendment) Order, 1963, and shall be read as one with the Motor Vehicles (Third Party Insurers) Order, 1957, as amended from time to time (hereinafter referred to as "the principal Order").

P.I. Nos. 319,
355, 560, 1085
of 1957, 1131/
58, 448/59, 72,
102, 174 of 1960
(Cyprus).
P.I. Nos.
18/1961, 24/
1961, 16, 39 and
40 of 1962, 20,
37, 74, 75, 76
and 84 of 1963.

2. The principal Order is hereby amended by the addition of the following Insurance Company to the Schedule thereto:-

"The Pancyprian Insurance Company Limited".

3. This Order shall be deemed to have come into operation on 13th February, 1964.

Made this 23rd day of May, 1964.

By the Administrator's Command,
E. BROADBENT,
Chief Officer,
Sovereign Base Areas.

No. 29

**THE MOTOR VEHICLES (THIRD PARTY INSURANCE)
ORDINANCE**

(Cap. 333 and 7 of 1960 - Laws of Cyprus).

ORDER UNDER SECTION 2.

In exercise of the powers vested in him by section 2 of the Motor Vehicles (Third Party Insurance) Ordinance, the Administrator has been pleased to make the following Order:-

1. This Order may be cited as the Motor Vehicles (Third Party Insurers) (Amendment) Order, 1963, and shall be read as one with the Motor Vehicles (Third Party Insurers) Order, 1957, as amended from time to time (hereinafter referred to as "the principal Order").

P.I. Nos. 319,
355, 560, 1085
of 1957, 1131/
58, 448/59, 72,
102, 174 of 1960
(Cyprus).

P.I. Nos.
18/1961, 24/
1961, 16, 39 and
40 of 1962, 20,
37, 74, 75, 76
and 84 of 1963.

2. The principal Order is hereby amended by the deletion of the following Insurance Company from the Schedule Thereto:-

"The Northern General Insurance Company, Limited, Cologne".

3. This Order shall be deemed to have come into operation on 19th March, 1964.

Made this 23rd day of May, 1964.

By the Administrator's Command,
E. BROADBENT,
Chief Officer,
Sovereign Base Areas.