
**EURO (PROCEDURE FOR IMPOSITION OF AN ADMINISTRATIVE PENALTY)
ORDER 2007**

The Chief Officer makes the following Order in exercise of his powers under section 26(2) of the Euro Ordinance 2007(a) and under section 28A of the Interpretation Ordinance(b).

Citation and Commencement

1. This Order may be cited as the Euro (Procedure for Imposition of an Administrative Penalty) Order 2007 and comes into force on the day on which it is published in the Gazette.

Adoption of Republican Public Instruments Nos. 351/2007, 369/2007 and 400/2007

2. The Adoption of the Euro (Procedure for the Imposition of an Administrative Penalty) Order 2007 (Public Instrument 351/2007), the Adoption of the Euro (Procedure for the Imposition of an Administrative Penalty) Directive 2007 (Public Instrument 369/2007) and the Adoption of the Euro (Procedure for the Imposition of an Administrative Penalty) Directive 2007 (Public Instrument 369/2007)(c) of the Republic (“the Republican Public Instruments”) are adopted, subject to paragraph 3, under the Euro Ordinance 2007 and, accordingly, as from the date that this Order comes into force, the Republican Public Instruments shall have effect in the Areas (so far as relevant) as if they had been made under section 26(2) of the Euro Ordinance 2007.

Exceptions

3. This Order does not apply to –

- (a) Her Majesty in right of Her Administration in the Areas and in right of Her Government in the United Kingdom;
- (b) any person engaged in the service of Her Majesty;
- (c) an Authorised service organisation as defined in paragraph 1(b) of Part I of Annex B of the Treaty of Establishment;
- (d) sutlers as defined in paragraph 1(l) of Part I of Annex B of the Treaty of Establishment.

Dated this 17th day of December 2007.

P. D. Draycott,

Chief Officer,

Sovereign Base Areas.

(SBA/AG/2/BK/479/1)

Notes

(a) Ordinance 18/07.

(b) Cap. 1 Statute Laws of Cyprus revised edition 1959, as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom) and the Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68). Section 28A was inserted by section 2 of the Interpretation (Amendment) Ordinance 2003 (Ordinance 37/2003).

(c) Republican Public Instrument No. 351/2007, published in Supplement III(I) of Republican Gazette No. 4220, 31.8.2007; Republican Public Instrument No. 369/2007, published in Supplement III(I) of Republican Gazette No. 4223, 19.9.2007; Republican Public Instrument No. 400/2007, published in Supplement III(I) of Republican Gazette No. 4227, 12.10.2007.

EXPLANATORY NOTE

(This note is not part of the Order)

Introduction

1. These explanatory notes relate to the Euro (Procedure for imposition of an Administrative Penalty) Order 2007. They have been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Order. They do not form part of the Order.
2. The notes should be read in conjunction with the Order. They are not, and are not meant to be, a comprehensive description of the Order.

Particular points

3. Section 28A of the Interpretation Ordinance provides that a power to make a public instrument includes a power to specify that the whole or part of a Republican public instrument is to have effect in the Areas subject to any specified exceptions, adaptations or modifications. Once it is specified that a Republican public instrument is to have effect in the Areas, that public instrument is an adopted instrument within the Adopted Instruments Ordinance 2003 (Ordinance 15/2003 as amended by Ordinance 36/2003). The Adopted Instruments Ordinance 2003 sets out the consequences of adoption.
4. The Order provides for the adoption in the Areas of the procedures implemented in the Republic of Cyprus for imposing administrative penalties for breach of the adoption of the Euro Law. Euro observatories investigate complaints about possible breaches of the adoption of the Euro Law and also of the Euro Ordinance 2007 as a consequence of the delegation in section 19 of that Ordinance.
5. The procedures put in place by the Republic provide for hearings before the Governor of the Central Bank of Cyprus where the complaint is against a bank (PI 369/2007), before the Registrar of the Service for the monitoring and development of Cooperative Societies where the complaint is against a cooperative credit institution (PI 400/2007) and otherwise before the Minister of Finance (PI 351/2007).
6. Paragraph 3 provides an exemption from these procedures for Crown servants, authorised service organisations and sutlers (who are not nationals of the Republic and are licensed by the UK to provide services to the armed forces). Any administrative action required in relation to them can be dealt with by the Sovereign Base Area Administration or British Forces Cyprus as appropriate.