



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 1563 of 14th January 2010
LEGISLATION

CONTENTS:

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

	Ordinance No.
Annual Holidays with Pay (Amendment) Ordinance 2010	1

ANNUAL HOLIDAYS WITH PAY (AMENDMENT) ORDINANCE 2010

An Ordinance to amend the Annual holidays with Pay Ordinance 1973

J. H. GORDON
ADMINISTRATOR

7th January 2010.

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

1. Short title

This Ordinance may be cited as the Annual Holidays with Pay (Amendment) Ordinance 2010.

2. Section 3 of the Annual Holidays with Pay Ordinance 1973 amended

In the Annual Holidays with Pay Ordinance 1973(a), (“the principal Ordinance”), section 3 (Holiday of employees) is amended by repealing the proviso to subsection (1)(b) and by inserting after that subsection the following new subsections:

“(1A) If an employee dies before he is able to claim payment for holidays to which he is entitled, his widow or widower or any other personal representative of his may apply to Department of Social Insurance of the Republic for such payment.

(1B) If a person is unable to claim payment for the holidays to which he is entitled, a person authorised by him in writing may apply to the Department of Social Insurance of the Republic for such payment.”.

3. Section 11 of the principal Ordinance amended

Section 11 of the principal Ordinance (Inspectors) is amended by inserting after subsection (4) the following subsection:

(5) The functions assigned to an Inspector under this section are general delegated functions under the Delegation of Functions to the Republic Ordinance 2007(c).

4. Section 22 of the principal Ordinance repealed and replaced

Section 22 of the principal Ordinance (Ordinance to bind the Crown) is repealed and replaced by the following:

“22. Application to the Crown and authorised service organisations

- (1) Subject to subsection (2) this Ordinance does not apply to the Crown.
- (2) Sections 16-21 apply to the Crown.
- (3) This Ordinance does not apply to authorised service organisations as defined in Annex B to the Treaty of Establishment in relation to their employment of a member of a civilian component as defined in paragraph 1(b) of Section 1 of Annex C to the Treaty of Establishment.”.

5. Commencement

This Ordinance comes into force on the day it is published in the Gazette.

Notes

- (a) Ordinance 10/73.
- (b) The proviso was inserted by Ordinance 12/79.
- (c) Ordinance 17/07.

EXPLANATORY NOTE

(This note does not form part of the Ordinance)

1. This note relates to the Annual Holidays with Pay (Amendment) Ordinance 2010 “the Ordinance”. The note has been prepared by the office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.
2. The Ordinance amends the Annual Holidays with Pay Ordinance 1973 by enabling a personal representative of a deceased person to claim his or her holiday pay. It also enables a person to claim holiday pay on behalf of a person who is unable to claim holiday pay in person. Previously, the holiday pay could only be claimed by another if the employee was deceased, and then only by the widow or widower of the deceased.
3. In accordance with modern drafting practice, the 1973 Ordinance has been amended so that the delegation to officers of the Republic under the Delegation of Functions to the Republic Ordinance 2007 appears on the face of the 1973 Ordinance.
4. The Ordinance also amends the 1973 Ordinance to provide that it does not apply to the Crown in relation to any of its employees, or to authorised service organisations in relation to its UK-based civilian employees.

