

REPUBLIC



OF CYPRUS

29 of 1985
214 of 1991
104(I) of 1999
90(I) of 2000.

**THE CATERING AND ENTERTAINMENT ESTABLISHMENTS LAWS
1985 TO 2000**

(English translation and consolidation)

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NICOSIA

THE CATERING AND ENTERTAINMENT ESTABLISHMENTS LAWS, 1985 TO 2000

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**A LAW TO PROVIDE FOR THE ESTABLISHMENT
AND OPERATION OF CATERING AND ENTERTAINMENT ESTABLISHMENTS**

**PART I
INTRODUCTORY PROVISIONS**

29 of 1985
214 of 1991
104(I) of 1999
90(I) of 2000.*

Short title. **1.** This Law may be cited as the Catering and Entertainment Establishments Laws, 1985 to 2000.

Interpretation. **2.** In this Law, unless the context otherwise requires-

«Board of Directors» means the Board of Directors of the Organization;

«Committee» means the Committee of Establishments set up under section 11;

«customer» means every person to whom service is rendered by the establishment as provided by this Law;

«Director-General» means the Director-General of the Organization;

«entrepreneur» means the person, natural or legal, in whose name the licence to operate an establishment is issued, pursuant to the provisions of section 6;

«establishment» means a shop-

(a) operating within the areas of towns, large villages, Improvement Boards and seaside resorts or

(b) operating outside the above areas and which the Board of Directors shall prescribe by name because of the type of the services rendered or because of its location, meeting or number of customers, travellers, sightseers or holiday makers,

in which there shall be offered against payment dining or every kind of food, beverages or cakes, irrespective of whether music or other performances, by artists is provided therein;

2 of 214/91. Provided that the said term does not include:

(i) Coffee shops,

(ii) shops strictly limited to offering services for consumption outside the shop (TAKE AWAY),

(iii) Kiosks or canteens of clubs and associations operating in accordance with the relevant legislations,

(iv) kiosks or canteens of factories or schools; and

(v) shops with an area of less than eight square metres which do not offer intoxicating liquors.

«health certificate» means the health certificate issued by the Health Authority of the Ministry of Health or of a local health centre, as the case may be;

*See Note at the end of the text.

«licence to operate» means the licence to operate an establishment issued pursuant to the provisions of section 6;

«Minister» means the Minister of Commerce and Industry;

«Organization» means the Cyprus Tourism Organization, established under the Cyprus Tourism Organization Laws, 1969 to 2005;

54 of 1969
50 of 1977
48 of 1978
62 of 1979
66 of 1980
63 of 1981
16 of 1985
34(I) of 1995
3(I) of 1997
19(I) of 1999
35(I) of 2005.

«Regulations» means the Regulations made under this Law;

«service» means –

- (a) the offering of dining or every kind of food, beverages or cakes, irrespective of whether music or other performances by artists is provided;
- (b) the organization of balls, cocktails, banquets, reception areas or other functions of similar nature.

PART II CLASSIFICATION AND LICENCE TO OPERATE

Approval of study (specifications) and plans of proposed establishments.

3. -(1) The study (specifications) and plans of newly-built or renovated existing buildings for the purpose of operating these as establishments, as well as every subsequent alterations, renovations, completions or extensions thereof, shall be drawn up in accordance with the provisions of the Regulations and be in conformity to the conditions prescribed for the class contemplated.

(2) The study (specifications) and plans of establishments must be submitted to the Organization for inspection and approval before their submission to the competent authority for the issue of a building permit.

(3) The inspection and approval of the study (specifications) and plans by the Organization shall not exempt nor bind the competent authority from exercising its duties in relation to the granting or not of the building permit.

(4) Before the approval of the study (specifications) and plans, the Organization may impose the necessary alterations it may consider appropriate taking into account the special circumstances, the position, the special characteristics of the site and the area and the category for which every establishment is destined:

Provided that, establishments operating within the hotels businesses shall be exempted from the provisions of this section.

Power of Council of Ministers.

4. The Council of Ministers shall have power to prescribe areas within which the type, category, class and number of establishments are regulated, taking into consideration all the circumstances prevailing in the area, as well as any town and country planning principles which govern the regulation and control of the development in the area, the promotion of hotel, catering and tourist development and the facilitation of the tourist needs of the area for the public interest.

Categories and
classes of
establishments.

5. -(1) There shall be made by the Board of Directors, in the prescribed manner in accordance with the prescribed procedure, the classification of every establishment, except for establishments operating within licensed hotel businesses, depending on the kind of the services rendered and provided that the relevant regulations are satisfied, into one or more of the following categories-

- (a) restaurant or tavern,
- (b) coffee shop or pizza place,
- (c) pub or bar,
- (d) music establishment,
- (e) discotheque,
- (f) snack bar,
- (g) cabaret.

(2) The establishments of every category may be distinguished into classes depending on their value and quality of construction, furniture, equipment, perfect functional organization as well as the standard of amenities and services rendered up to third class.

(3) The conditions which the establishments must satisfy in order to be classified in each or any of the classes provided by subsection (2), shall be prescribed.

Licence to
operate.

6.-(1) No person shall operate an establishment without a licence of operation issued pursuant to the provisions of this Law and Regulations.

3 of 214/91.

(2) Prior to the commencement of the operation of the establishment the entrepreneur shall submit to the Board of Directors an application for the classification and issue of the licence to operate the establishment:

Provided that, irrespective of compliance by the person operating the establishment, the Board of Directors may proceed with the classification of the establishment, following an inspection by authorised officers of the Organization under the terms and conditions provided by the Law and Regulations.

3 of 214/91.

(3) The licence for the operation shall be issued by the Board of Directors in the prescribed form, upon payment of the prescribed fee and on presentation of a health certificate in conformity with the terms and conditions prescribed by this Law and Regulations. The hours of operation shall be referred to in the licence to operate.

3 of 214/91.

(4) The licence to operate shall expire on the 31st day of December next following the date of issue, and may be renewed upon payment of the prescribed fee.

3 of 214/91.

(5) The licence to operate must be posted up in a conspicuous place in the establishment.

3 of 214/91.

(6) The Organization shall keep a register in which there shall be entered the licences to operate.

3 of 214/91.

(7) No licence to operate an establishment shall be issued in respect of any place, which in accordance with the certificate of final approval of the appropriate authority pursuant to the Streets and Buildings Regulation Laws, shall be deemed to be inappropriate for the purpose.

Cap. 96.
14 of 1959
67 of 1963
6 of 1964
65 of 1964
12 of 1969
38 of 1969
13 of 1974
28 of 1974

24 of 1978
 25 of 1979
 80 of 1982
 15 of 1983
 9 of 1986
 115 of 1986
 199 of 1986
 53 of 1987
 87 of 1987
 316 of 1987
 108 of 1988
 243 of 1988
 122 of 1990
 97(I) of 1992
 45(I) of 1994
 14(I) of 1996
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 37(I) of 1997
 72(I) of 1997
 71(I) of 1998
 35(I) of 1999
 61(I) of 1999
 81(I) of 1999
 57(I) of 2000
 66(I) of 2000
 73(I) of 2000
 126(I) of 2000
 157(I) of 2000
 26(I) of 2002
 33(I) of 2002
 202(I) of 2002.

Revocation of a licence.

7.-(1) The licence to operate may be revoked by the Board of Directors in the case of-

- (a) final cessation of the operation of the business;
- (b) conviction by reason of continuous contravention of the provisions of the Law or Regulations;
- (c) death of the entrepreneur or, in case of a legal person, upon the appointment of a liquidator.

(2) Upon the death of the entrepreneur or, where the entrepreneur is a legal person, upon its dissolution or appointment of a liquidator, the issued licence to operate shall cease to be in force and a new licence may be issued by the Board of Directors for the period which has not yet expired, in the name of the executors of the will or the administrators of the property of the deceased entrepreneur or the liquidator, as the case may be, without the payment of any fee.

Change in exploitation of the establishment.

8. Any proposed change as regards the kind of services rendered in the establishment, which constitutes such change incompatible with its class, shall be notified by the entrepreneur to the Organization for approval.

Delegation of powers.

9. The Board of Directors may, by its own resolution, delegate any of its powers to the Director- General or other officers of the Organization in accordance with the provisions of the Law.

Name of establishment.

10. Subject to the provisions of any other Law in force, every establishment shall have its own name, which shall be the one recognised by the licence to operate the same:

Provided that, the Board of Directors may not admit any name, which would in its opinion, be inappropriate to the category of the establishment or which would confuse it with any other establishment operating in the same area or which is considered undesirable. In case of synonymous establishments the Board of Directors may request the use of a distinctive mark.

11.-(1) For the purpose of the inspection and approval of the study (specifications) and plans by the Organization referred to in section 3, a Committee of Establishments shall be set up and shall consist of –

- (a) the Chairman of the Board of Directors and the Director-General of the Organization as ex- officio members;
- (b) an officer of the Organization appointed by the Board of Directors;
- (c) a representative of the Ministry of Commerce and Industry;
- (d) a representative of the Health Department of the Ministry of Health;
- (e) a representative of the Ministry of the Interior;
- (f) three persons appointed by the Minister, with the consent of any representative associations of employers or, where such associations do not exist, persons having special knowledge in, or appropriate experience of the entertainment establishments' affairs;
- (g) a representative from the municipalities appointed by the mayors or presidents of the municipal committees or a majority thereof; and
- (h) a representative of the District Officers appointed by the Minister of the Interior.

(2) All members of the Committee, other than the members referred to in paragraph (a), shall be appointed by the Minister for a period of two years.

(3) Notwithstanding the provisions of subsection (2) the Minister may, at any time, terminate the term of office of the Committee's members, who were appointed pursuant to paragraph (f) of subsection (1), if it is ascertained that they have failed to exercise their duties in a reasonably satisfactory manner.

(4) The Committee's members may resign from their office at any time during their term after a written notice to the Minister.

(5) The Committee shall be presided by the Chairman of the Board of Directors of the Organization and in his absence by the Director-General.

(6) The Committee shall constitute a quorum if six members thereof are present, and its decisions shall be taken by majority and in case of an equality of votes, the person presiding at the Committee shall have a second or casting vote.

(7) A vacancy in the Committee shall not prejudice the validity of its decisions.

(8) Subject to the foregoing provisions of this section, the Committee shall issue internal regulations regulating all matters concerning its meetings, the procedure to be followed at the meetings, the keeping of the minutes of the meeting and, in general, its functioning.

(9) The Committee may also submit recommendations to the Board of Directors for the following matters:

- (a) the classification and issue of the licences for the operation of the establishments;
- (b) the prices of the establishment;
- (c) any matters concerning the staff of the establishments;
- (d) any matters concerning the operation of the establishments.

(10) The Committee may, by its decisions and upon conditions which it deems necessary, assign to the Director-General any power vested in it by this Law.

12. -(1) Any person not satisfied with the decision of the Board of Directors made by virtue of the provisions of the Law, may, within 21 days from the communication of the relevant decision to him, appeal against such decision by a written recourse to the Minister, in which the reasons in support thereof are set out-

(2) The Minister shall consider the recourse submitted to him, without undue delay, shall decide and shall communicate his decision to the applicant.

Provided that, the Minister prior to the issue of his decision may, if he deems it necessary, hear or give the opportunity to the applicant to support the reasons upon which the recourse is based:

Provided further that, the Minister may assign to an officer or to officers of a committee of the Ministry thereof to examine certain matters related to the recourse and submit to him their conclusions over such examination before the Minister issues his decision on the recourse.

(3) Any person not satisfied with the decision of the Minister may appeal to the Court, but until the issue of the decision by the Minister, in case of recourse to him, or in case of no recourse to him, until the expiration of the period for filing a recourse provided in subsection (1), the decision of the Board of Directors or of the Committee shall not be deemed executory.

PART III PRICES AND ESTABLISHMENTS MANAGEMENT

13.-(1) By resolution of the Board of Directors the fixed prices may be confined within extreme limits, maximum or minimum, or both, for every category or class of establishments, taking into consideration any market decrees in force for the time being and other circumstances.

(2) Within these extreme limits entrepreneurs shall prescribe the fixed prices, which shall be recorded in a special pricelist, which shall be submitted to the Organization for approval and sealing:

Provided that, in the said fixed prices the entrepreneur may include the prescribed percentage referred to in section 14.

(3) The prices shall be fixed for an annual period commencing on 1st of April of each year, unless the Board of Directors shall fix another period and shall remain stable during the said period.

(4) Notwithstanding the provisions of subsection (3), the Board of Directors may allow in the case of unforeseen circumstances which seriously affect the fixing of prices, an alteration of the fixed prices during the annual period.

(5) Copy of the pricelist approved and sealed by the Organization shall be displayed at the door outside the establishment as well as at a conspicuous place therein to inform the customers.

(6) There shall be prohibited for the entrepreneur to charge a greater sum than that recorded in the pricelists. Any person who contravenes the provisions of this subsection shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding five hundred pounds or to imprisonment not exceeding six months or to both such penalties.

14.-(1) By a decision of the Council of Ministers there may be prescribed a percentage up to 3% on every customer's invoice,

(a) of establishments not operating within Hotels and Tourist Establishments for services rendered either within or outside them except for taxes and the service charge.

(b) of establishments operating within licensed Hotels and Tourist Establishments in accordance with the provisions of the Hotels and Tourist Establishments Laws, 1969 to 2000, for services rendered either within or outside them except for taxes and the service charge:

Payment of
percentage.
2 of
90(I)/2000.*

40 of 1969
52 of 1970
17 of 1973
34 of 1974
28 of 1985
42(I) of 1993
80(I) of 1995
16(I) of 1999
68(I) of 1999
91(I) of 2000
170(I) of 2000.

Provided that, the Council of Ministers may, by its decision, exclude from the whole or part of the above percentage, any establishments of certain categories or class or establishments situated in certain areas prescribed in the said decision.

(2) Subject to the provisions of subsection (4), the percentage prescribed in subsection (1), shall burden the customer and shall be collected or charged by the entrepreneur and paid every three months on his responsibility to the Organization. Every entrepreneur must, not later than the 25th day of the month which follows every preceding three month period, pay to the Organization the said percentage collected or charged on the immediately preceding three month period:

Provided that, the first payment of the above percentage and the first submission of the form prescribed in subsection (7) may refer to a period of less than three months, which however expires on the same three month period. The said provision shall also be applicable in cases of suspension of the operation and/or recommencement of the establishment.

(3) Subject to the provisions of subsection (4) where the entrepreneur fails to charge or collect from the customer the above-referred percentage, he shall be liable to pay to the Organization the said percentage at his own expense.

(4) Notwithstanding the provisions of subsections (2) and (3) and in case where the entrepreneur proves that he did not collect the said percentage due to liquidation or bankruptcy of any legal and or natural person who was his customer the said entrepreneur shall be discharged from his obligation to pay to the Organization the percentage which has been charged in respect of the said person/customer:

Provided that, where the entrepreneur collects any amount towards the amounts due to him in respect of the aforesaid customers he shall pay to the Organization the corresponding amount "PRO RATA".

* See Note at the end of the text.

(5) The customer shall pay to the entrepreneur the percentage specified above. Any customer who refuses to pay the same is guilty of an offence and on conviction, shall be liable to a fine not exceeding two hundred pounds, or to imprisonment not exceeding three months or to both such penalties.

(6) Every entrepreneur shall keep records of the collections made to, or charges charged by the establishment of the above referred percentage and shall produce the same for inspection to any officer of the Organization authorised for the purpose in accordance with circular guidelines of the Organization.

(7) Every entrepreneur shall complete the relevant form prescribed by circular guidelines of the Organization regarding his collections or charges of the above percentage. The said form shall be submitted by the entrepreneur to the Organization not later than the 25th day of the month which follows the immediate preceding three month period together with the said percentage:

Provided that, the Organization may, by circular guidelines, prescribe the payment of the due percentage and the submission of the form referred to above shall be made at any credit institution which the Organization may specify.

(8)(a) Every entrepreneur who fails or refuses or delays to submit to the Organization the percentage due within the period prescribed in subsection (2), shall pay an additional charge equal to 10% over the percentage which he has failed or refused or delayed to submit. In case where failure or refusal or delay of the entrepreneur to pay the due percentage continues beyond 30 days from the date when the percentage was payable in accordance with this Law, then he shall pay, additionally, an interest at a rate of 9% per annum on the due percentage including an additional charge which is calculated following the expiration of the 30 days period.

(b) Every entrepreneur who fails or refuses to submit the form referred to in subsection (7), within the period prescribed, must pay fifteen pounds (£15) for every month or part thereof during which the said failure, refusal or delay continues.

(9) Without prejudice to the provisions of subsections (8) and (11), every entrepreneur who-

- (a) contravenes or omits to comply with the provisions of subsections (2),(3),(4),(6),(7) and (8) shall be guilty of an offence and, on conviction, shall be liable to a penalty not exceeding one thousand pounds or to imprisonment not exceeding one year or to both such penalties, or
- (b) (i) with intent to defraud the Organization, uses or delivers or sends for the purposes of this section or uses by other means for the same purposes any document or information which is false, or
- (ii) in supplying any information for the purposes of this section makes a statement for an important matter knowing it to be false or negligently makes a statement for an important matter knowing it to be false shall be guilty of an offence and, on conviction,

shall be liable to a fine up to two thousand pounds or to imprisonment not exceeding three years or to both such penalties,

- (c) evades payment or acts/ or is an accomplice to any act with intent to fraudulently evade payment of the above percentage on his behalf or on behalf of any other person, shall be guilty of an offence and, on conviction, shall be liable to a fine up to three times the due percentage or to imprisonment up to five years and or to both such penalties.

(10) In case of conviction of any entrepreneur for failing or neglecting to charge or pay to the Organization the percentage prescribed in subsection (1) or keep records of the collections of the above referred percentage or send to the Organization the prescribed form, the Court may, in addition to any penalty imposed in accordance with this section, order the convicted entrepreneur to pay the due percentage, the additional charges and interest provided for in subsection (8), the submission of the form referred to in subsection (7), the submission of the particulars referred to in subsection (6), as well as the payment of any trial expenses.

(11) Notwithstanding the provisions of this section, every person who does not comply with the order made under the provisions of subsection (10) shall be guilty of an offence and, on conviction, shall be liable to imprisonment for a period not exceeding one year or to a fine not exceeding seven hundred and fifty pounds and or to both such penalties.

(12) (a) Notwithstanding the provisions of subsections (6),(7),(8),(9),(10) and (11) where the entrepreneur fails or neglects to keep the necessary particulars for the collections and or charges of the above referred percentage or fails to complete and send the prescribed form for the collections and/or charges of the above referred percentage together with the percentage referred to in subsections (1) and (2) or refuses to provide the necessary clarifications for verification or inspection of the particulars submitted to the Organization or the particulars and forms submitted to the Organization are incomplete and contain errors, then the Director-General or other officer of the Organization authorised for the purposes of this section, may affirm the percentage due, the additional charges and interest, to the best of his judgment and thereafter notify the interested entrepreneur of the percentage due, the additional charges and interest as well as for the payment thereof.

(b) In case where the entrepreneur fails to pay the above percentage, the additional charges and interest affirmed by the Director-General or any other officer of the Organization authorised by him for the purposes of this subsection, the provisions of this section shall be applicable accordingly.

(13) Notwithstanding the provisions of this section, the Organization may, by civil action, claim from the entrepreneur or other accomplice any percentage or additional charges or interest due to the Organization.

(14) For the purposes of this section:

(a) «entrepreneur» includes also the «Manager» of the establishment,

(b) «three month period» means the period between the 1st of January and 31st of March, 1st of April and 30th of June, 1st of July and the 30th of September and the 1st of October and the 31st of December of each year.

Numbered
invoices.

15.-(1) A numbered invoice shall be issued by the entrepreneur for every service rendered to a customer in the establishment, giving details of the rendered services with the relative prices for every service rendered.

(2) Every invoice shall be issued at least in duplicate. The original copy shall be given to the customer and the second copy shall be kept by the entrepreneur until the end of December next following the date of issue, for inspection purposes by the Organization:

Provided that, all invoices, bound in duplicate copies, shall be submitted beforehand to the Organization for recording and punching of same by special seal.

Provided further that, the duplicate copies of the invoices may be destroyed by the entrepreneur before the end of December next following the date of issue, in case the Organization intends to inspect same before that period.

(3) In cases where the entrepreneur uses a teller machine for the issue of invoices he shall be bound to-

- (a) use a machine issuing analytical numbered invoices, with a date, giving the total number of daily collections (Z-Reading) by serial number, and
- (b) Keep copies of the teller machine tape until the end of December next following the date of issue for inspection purposes by the Organization:

Provided that, copies of the teller machine tape may be destroyed by the entrepreneur before the end of December next following the date of issue, unless the Organization intends to inspect same before that period.

Management.

16.-(1) Every establishment shall be in the charge of a manager who shall be responsible for the operation of the establishment in accordance with the provisions of the Law and the Regulations.

(2) The management may be also exercised by the entrepreneur if he possesses the necessary qualifications in accordance with subsection (3).

(3) The manager of the establishment shall:

- (a) be a graduate of a recognised Hotel School or a School of Tourist Occupations and have a good knowledge of matters related to food and beverages, or
- (b) be a holder of a leaving certificate of a six-year Secondary School and have one year experience in the catering occupation, or
- (c) have experience in catering or relative occupations which in the opinion of the Organization is deemed satisfactory.

(4) As regards Class A and B establishments the manager must necessarily have the required qualifications under item (a) of subsection (3):

Provided that, the provisions of the said section shall not be applicable in the case of managers operating establishments on the coming into force of the Law.

(5) The manager of the establishment and staff thereof must behave with the outmost politeness towards any customer of the establishment, showing willingness and efficiency in the exercise of their duties and offering satisfactory service to the establishment customers.

Staff.

17.-(1) Every establishment, depending on its category and class, shall be bound to engage the staff of various specializations necessary for providing its customers with services of a satisfactory standard and for the general and regular operation thereof.

(2) The persons who are employed in the establishment must be holders of a health certificate.

PART IV MISCELLANEOUS PROVISIONS

Offences and penalties.

18.-(1) Any person who-

- (a) uses the term «tourist» or «catering and entertainment establishment» or other similar term for the description of the establishment for which a licence to operate has not been issued;
- (b) keeps or operates an establishment with no licence to operate;
- (c) omits to issue invoices in contravention of the provisions of section 15,

shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding five hundred pounds or to imprisonment not exceeding six months or to both such penalties, and if the contravention continues after its conviction thereof, he shall be guilty of a further offence and shall be liable to a fine not exceeding fifty pounds for each day during which the offence continues.

(2) In addition to any other penalty provided under this section, the Court may, on conviction of any person for an offence under subsection (1) of this section, order-

- (a) the discontinuance of the operation of the establishment in respect of which the offence was committed for such time as the Court may deem necessary;
- (b) payment of the trial costs by the convicted person.

(3) If any person, against whom an order has been made in accordance with the provisions of paragraph (a) of subsection (2), fails to comply with such order, the Chief of District Police or his representative shall execute the order and demand payment of all the costs of the execution by the person against whom the order has been made. Such costs shall be deemed to be a penalty within the meaning of the Criminal Procedure Law and payment thereof shall be imposed in accordance with the provisions of the said Law.

Cap. 155.
93 of 1972
2 of 1975
12 of 1975
41 of 1978
162 of 1989
142 of 1991
9 of 1992
10(I) of 1996
89(I) of 1997
54(I) of 1998
96(I) of 1998
14(I) of 2001
185(I) of 2003
219(I) of 2004.

(4) Any person who fails to comply with an order made under the provisions of paragraph (a) of subsection (2), shall be guilty of an offence and shall be liable, on conviction, to imprisonment for a period not exceeding one year or to a fine not exceeding seven hundred and fifty pounds or to both such penalties.

(5) In addition to any other penalty provided by the Law and Regulations, the Court has power to order any person who is found guilty of an offence to comply with the relevant provisions of the Law or the Regulations in respect of which the offence has been committed.

(6) (a) The Court before which a charge brought against a person for an offence committed in contravention of the provisions of subsection (1) is being tried, may, on an EX PARTE application, order the suspension of any operation regarding the erection, construction, maintenance or operation of the establishment until the final adjudication of the case in relation to which the charge was brought:

Provided that, the issue of such order is subject to the provisions of the Civil Procedure Law, the Courts of Justice Laws, 1960 to 2004 and the Civil Procedure Rules of Court.

Cap. 6.
11 of 1965
161 of 1989
228 of 1989
51(I) of 1999
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58(I) of 2003
66(1) of 2004.

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 50 of 1962
 11 of 1963
 8 of 1969
 40 of 1970
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 206(I) of 2002
 17(I) of 2004
 165(I) of 2004
 268(I) of 2004.

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 20.5.1954
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 8.5.1958

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 14.10.65
 23.12.65
 29.1.69
 24.10.69
 6.10.72
 18.1.74
 4.6.76
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 27.11.98
 23.12.99
 29.12.2000
 12.1.2001
 1.6.2001
 30.11.2001
 21.12.2001.

Cap. 155.

(b) It shall be lawful for the appropriate authority to execute this order against any person against whom an order has been made subject to the provisions of paragraph (a) who fails or neglects to comply therewith within the fixed period, and any costs incurred by the said execution are payable to the appropriate authority by the person against whom the order has been made and these costs shall be deemed to be a penalty within the meaning of the Criminal Procedure Law, and payment thereof shall be executed in accordance with the provisions of the said Law.

(c) Any person against whom an order has been made pursuant to this section who refuses or fails to comply therewith, shall be guilty of an offence, irrespective of whether the appropriate authority proceeded with the execution or has executed the order, and shall be liable on conviction to imprisonment for a period not exceeding three months or to a fine not exceeding one hundred pounds or to both such penalties.

(7) Any person who refuses or fails to comply with any provision of this Law where this is not specially provided for, shall be guilty of an offence, and shall be liable on conviction to a fine not exceeding three hundred pounds or to imprisonment not exceeding six months or to both such penalties.

Hours of
 operation of
 establishments.
 2(a) of
 104(I)/99.

19.-(1) Notwithstanding the provisions of this Law and the Regulations made thereunder concerning the hours of operation of establishments and subject to the provisions of any other law or regulations concerning the hours of operation of shops, upon the coming into force of this Law, the following hours of operation of the establishments shall be prescribed:

(a) During the period from the 1st of May up to 30th of September-

(i) restaurants, taverns, pubs, bars, cafeterias, pizza places and snack bars, with music or without music-

- from Monday to Thursday may remain open from 7.00 in the morning every day until 2.30 in the morning of the immediate following day;
- on Friday and Saturday may remain open from 7.00 in the morning every day until 3.30 in the morning of the immediate following day;
- on Sunday may remain open from 7.00 in the morning every day until 2.30 in the morning of the immediate following day;

(ii) music establishments, discotheques and cabarets-

- from Monday to Thursday may remain open from 8.00 at night every day until

2.30 in the morning the immediate following day;

- on Friday and Saturday may remain open from 8.00 at night every day until 3.30 in the morning of the immediate following day;
- on Sunday may remain open from 8.00 at night every day until 2.30 in the morning of the immediate following day;

(b) During the period from 1st of October until 30th of April-

(i) restaurants, taverns, pubs, bars, cafeterias, pizza places and snack bars, with music or without music;

- from Monday until Thursday may remain open from 7.00 in the morning every day until 2.00 the morning of the immediate following day;
- on Friday and Saturday may remain open from 7.00 in the morning every day until 3.00 the morning of the immediate following day;
- on Sunday may remain open from 7.00 in the morning until 2.00 in the morning of the immediate following day;

(ii) music establishments, discotheques and cabarets-

- from Monday until Thursday may remain open from 8.00 at night every day until 2.00 the morning of the immediate following day;
- on Friday and Saturday may remain open from 8.00 at night every day until 3.00 the morning of the immediate following day;
- on Sunday may remain open from 8.00 at night every day until 2.00 the morning of the immediate following day.

2(b) of
104(I)/99.

(2) (a) Any extension or reduction of the fixed hours of operation for establishments pursuant to subsection (1) of this section shall be granted only where just reasons exist for a time period not exceeding six months and following a special permit, issued by the Regional District Officer of the district within the limits of which the establishment is situated:

Provided that, in case of issue of a special extension permit no fee shall be payable for the extended period by virtue of any order made pursuant to section 8 of the Sale of Intoxicating Liquors Law.

(b) The Regional District Officer may, at any time, during the period of validity of the special permit, after he has taken into account the views of the Organization, revoke or amend the permit.

(3) The establishment in respect of which a permit was issued pursuant to subsection (2), may remain open during the extended period. Any establishment whose time of operation has been reduced pursuant to subsection (2) must remain closed beyond the time permitted by the amended licence.

(4) Any entrepreneur or manager of an establishment who keeps it open or allows or permits it to be open, in contravention of the order made pursuant to subsection (1) and or in contravention of the permit granted pursuant to subsection (2), shall be liable, on conviction, to a fine not exceeding five hundred pounds or to imprisonment not exceeding six months or to both such penalties.

(5) Extension or limitation of the hours of operation of the establishments shall be granted upon a special permit issued by the Regional District Officer taking into account the Organization's views on the matter.

Regulations.

20.-(1) The Council of Ministers may make Regulations-

- (a) for prescribing any matter which under the provisions of this Law is required to or may be prescribed,
- (b) for the better implementation of the provisions of this Law.

(2) Regulations made in accordance with this Law may provide for a fine up to three hundred pounds or a sentence of imprisonment up to six months or for both such sentences for any contravention thereof.

(3) Regulations made in accordance with this Law shall be laid before the House of Representatives and if within thirty days of such laying the House of Representatives does not by resolution amend or annul the said Regulations, in whole or in part, they shall then be published in the official gazette of the Republic immediately after the expiration of such period and shall come into force as from such publication. In the event of their amendment, in whole or in part, by the House of Representatives, such Regulations shall be published in the official Gazette of the Republic as amended and shall come into force as from such publication.

Supervision and control.

21.-(1) Subject to the provisions of any other Law in force, the supervision and examination as to the compliance by the establishments with the provisions of the Law and Regulations shall be carried out by the Organization through its authorised officers.

(2) Every Officer authorised by the Organization may, within any reasonable time, enter, inspect, control, and examine any establishment and obtain any copies or extracts from any book or document in relation to the establishment, and any other information which he may reasonably consider necessary for ascertaining whether the provisions of the Law and Regulations have been complied with:

Provided that, the manager or entrepreneur of an establishment shall be bound to be present during inspections where there are special reasons.

(3) Every entrepreneur or manager of an establishment shall be bound to provide such facilities to authorised officers of the Organization as may reasonably be requested by them allowing the exercise of the powers conferred on them under this section.

(4) Every person who in any way obstructs the Organization or any of its authorised officers from exercising the powers conferred on them under this section, or fails to provide all the necessary facilities, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding three hundred pounds or to imprisonment not exceeding six months or to both such penalties.

Temporary provisions. 91 of 1979.

22.-(1) Every person who upon the date of the coming into force of this Law is operating an establishment without a licence to operate under the Tourist Places of Entertainment Laws, 1979 to 1981 shall, within three months from the date of the coming into force of this Law, submit an application to the Board of Directors for classification and issue of a licence to operate such establishment.

(2) In case where any establishment fails to meet the prescribed building conditions subject to the Law and Regulations, the Board of Directors may:

- (a) give an extension for their execution where it deems that the carrying out of these building conditions is feasible,
- (b) approve limited number of relaxations of the Regulations relating to these building conditions where it deems that the carrying out of the building conditions is not feasible.

23. The Tourist Places of Entertainment Laws, 1979 to 1981, are hereby repealed:

Repeal and
reservation.
91 of 1979.*

Provided that, every licence to operate a tourist establishment issued under the repealed Laws and being valid upon the coming into force of this Law shall continue to be valid until the 31st day of December next following the date of its issue as if same was issued subject to the respective provision of this Law and every matter concerning revocation or renewal of same shall be governed by the provisions of this Law:

Provided further that, all obligations arising from the Tourist Places of Entertainment Laws, 1979 to 1981, shall remain in force as if the said Laws had not been repealed, but any investigation in relation to the commission of an offence in contravention of the provisions of the said Laws, may continue and any procedure before the Court, criminal or civil, shall not in any way be affected, as if the said Laws had not been repealed.

24. The provisions of this Law shall be applicable in addition and not in revocation of the provisions of the Municipalities Laws, 1964 to 1984, the Villages (Administration and Improvement) Law and the Public Health (Villages) Law, relating to the issue of a licence for establishments in operation which are regulated by this Law:

Reservation
64 of 1964. **
Cap. 243. ***
Cap. 259. ****

Provided that, a basic prerequisite for obtaining a licence to sell any intoxicating liquors, in accordance with section 8 of the Sale of Intoxicating Liquors Law and a licence to operate in accordance with the provisions of the Municipalities Laws, 1964 to 1984, the Villages (Administration and Improvement) Law and the Public Health (Villages) Law, shall be the securing in advance of a licence to operate issued subject to the provisions of this Law.

Cap. 144.
60 of 1963
8 of 1966
26 of 1968
4 of 1972
69 of 1977
20 of 1985
83(I) of 1988.

25. This Law shall come into force on a date to be prescribed by the Council of Ministers, by a notification, published in the official Gazette of the Republic.

Entry into force
of this Law.

* Law 91/1979 was repealed by the Catering and Entertainment Establishments Law, 1985 (L. 29/1985).

** Law 64/1964 was repealed by the Municipalities Law, 1985 (L. 11/85)

*** Cap.243 was repealed by the Communities Law, 1999 (L. 86(I)/99)

**** Cap.259 was repealed by the Communities Law, 1999 (L. 86(I)/99).

NOTE

1. By virtue of section 3 thereof the Catering and Entertainment Establishments (Amendment) Law, 2000 (L. 90(I)/2000) came into force on 1st July 2000.