

REPUBLIC



OF CYPRUS

29 of 1985
214 of 1991
104(I) of 1999
90(I) of 2000
151(I) of 2005
65(I) of 2007.

THE CATERING AND ENTERTAINMENT ESTABLISHMENTS LAWS

1985 TO 2007

(English translation and consolidation)

Office of the Law Commissioner

Nicosia,

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**THE CATERING AND ENTERTAINMENT ESTABLISHMENTS LAWS,
1985 TO 2007**

ARRANGEMENT OF SECTIONS

PART I.- INTRODUCTORY PROVISIONS

Section

1. Short title
2. Interpretation

PART II.- CLASSIFICATION AND LICENCE TO OPERATE

3. Approval of study (specifications) and plans of proposed establishments
4. Power of Council of Ministers
5. Categories and classes of establishments
6. Licence to operate
7. Revocation of a licence
8. Change in exploitation of the establishment
9. Delegation of powers
10. Name of establishment
11. Committee of Establishments
12. Hierarchical recourse

PART III.- PRICES AND ESTABLISHMENTS MANAGEMENT

13. Prices and pricelists of establishments
14. *Repealed.*
15. Numbered invoices
16. Management
17. Staff

PART IV – MISCELLANEOUS PROVISIONS

18. Offences and penalties
19. Hours of operation of establishments
- 19A. Entering an establishment

20. Regulations
21. Supervision and control
22. Temporary provisions
23. Repeal and reservation
24. Reservation
25. Entry into force of this Law

29 of 1985
 214 of 1991
 104(I) of 1999
 90(I) of 2000
 151(I) of 2005*
 65(I) of 2007.

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

PART I INTRODUCTORY PROVISIONS

- Short title. **1.** This Law may be cited as the Catering and Entertainment Establishments Laws, 1985 to 2007.
- 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, dining or every kind of food, beverages or cakes, is offered against payment 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 alcoholic beverages;
- «health certificate» means the health certificate issued by the Health Authority of the Ministry of Health or of a local health authority, 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 dinner dances, cocktails, banquets, receptions 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) Prior to 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 intended:

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

Power of Council of Ministers.

4. The Council of Ministers shall have the power to prescribe areas within which there shall be regulation of the type, category, class and number of establishments, 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, according to 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 house,
- (c) pub or bar,
- (d) night club,
- (e) discotheque,
- (f) snack bar,
- (g) cabaret.

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

(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 thereof, and may be renewed upon payment of the prescribed fee.

3 of 214/91.

(5) The licence to operate must be posted up at 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
 52(I) of 1996
 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
 101(I) of 2006
 21(I) of 2008
 32(I) of 2008
 47(I) of 2011
 77(I) of 2011
 131(I) of 2011
 152(I) of 2011
 34(I) of 2012
 149(I) of 2012
 66(I) of 2013.

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;
- (d) obtaining a licence by fraud or false pretences or by withholding substantial facts or by reason of not fulfilling any of the conditions under which such licence has been granted;
- (e) conviction of the entrepreneur for any of the offences provided for in subsection (3) of section 16.

2 of 65(I)/2007.

2 of 65(I)/2007.

(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.

Committee of Establishments.

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 established 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 upon giving notice in writing 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 establishments;
- (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.

4 of 214/91.

Hierarchical
recourse.

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 MANAGEMENT OF ESTABLISHMENTS

Prices and
pricelists of
establishments.

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 of 151(1) of

(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.

(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 eight hundred fifty four euros** or to imprisonment not exceeding six months or to both such penalties.

Payment of
percentage.
3 of 151(I) of
2005.*

14. Repealed.

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 services rendered 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 thereof, 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 the 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 thereof, in case the Organization intends to inspect the 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 thereof, 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 thereof, unless the Organization intends to inspect the same before that period.

* See Note at the end of the text.

** PI 312/2007 issued pursuant to section 9(1) of the Adoption of the Euro Law, 2007 (L. 33 (I)/2007, as amended)

Management.

16.-(1) Every establishment shall be managed by 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 must:

- (a) be a graduate of a recognised hotel school or a school of tourist occupations and have good knowledge of matters related to food and beverages, or
- (b) possess a leaving certificate of a six-class secondary school and have one year of experience in the catering occupations, or
- (c) have at least three years of experience in catering or relative occupations which in the opinion of the Organization is deemed satisfactory,
- (d) be a person of good character, that is to say, satisfies the prerequisites prescribed by the immediate following provisos:

Provided that, the good character is proved by a certificate issued for the purposes of this Law, in the prescribed form, by the Chief of Police, indicating that the applicant has not been convicted for any of the offences referred to in the following proviso:

Provided further that, notwithstanding the provisions of the Rehabilitation of Convicted Persons Law, the prerequisites in respect of a person's good character are not satisfied or have ceased to be satisfied in case the person who is deemed that should satisfy such prerequisite, has been convicted—

- (i) at any time, for the offence of premeditated murder, in contravention of section 203 of the Criminal Code, or for any offence, in contravention of sections 144 to 177 of the Criminal Code;

3(a) of 65(I)/2007.

3(b) of 65(I)/2007.

70 of 1981
134 of 1988
228(I) of 2004.

Cap. 154
3 of 1962
43 of 1963
41 of 1964
69 of 1964
70 of 1965
5 of 1967
58 of 1967
44 of 1972
92 of 1972
29 of 1973
59 of 1974
3 of 1975
13 of 1979
10 of 1981
46 of 1982
86 of 1983
186 of 1986
111 of 1989
236 of 1991
6(I) of 1994
3(I) of 1996
99(I) of 1996
36(I) of 1997
40(I) of 1998
45(I) of 1998
15(I) of 1999
37(I) of 1999
38(I) of 1999
129(I) of 1999
30(I) of 2000
43(I) of 2000

77(I) of 2000
 162(I) of 2000
 169(I) of 2000
 181(I) 2000
 27(I) of 2001
 12(I) of 2002
 85(I) of 2002
 144(I) of 2002
 145(I) of 2002
 25(I) of 2003
 48(I) of 2003
 84(I) of 2003
 164(I) of 2003
 124(I) of 2004
 31(I) of 2005
 18(I) of 2006
 130(I) of 2006
 126(I) of 2007
 127(I) of 2007
 70(I) of 2008
 83(I) of 2008
 64(I) of 2009
 56(I) of 2011
 72(I) of 2011
 163(I) of 2011
 167(I) of 2011
 84(I) of 2012
 95(I) of 2012
 134(I) of 2012
 125(I) of 2013
 131(I) of 2013.

(ii) during the last ten years for any of the following offences:

- (aa) robbery, in contravention of sections 282 to 286 of the Criminal Code;
- (bb) burglary, in contravention of sections 291 to 296 of the Criminal Code;
- (cc) stealing, in contravention of sections 255 to 272 of the Criminal Code;
- (dd) forgery, in contravention of section 333 of the Criminal Code;
- (ee) uttering a false document, in contravention of section 339 of the Criminal Code;
- (ff) obtaining goods or credit, in contravention of sections 298 and 301 of the Criminal Code, respectively;
- (gg) cheating, in contravention of section 300 of the Criminal Code;
- (hh) conspiracy to defraud, in contravention of section 302 of the Criminal Code;
- (ii) any offence, in contravention of the Narcotic Drugs and Psychotropic Substances Law;

29 of 1977
 67 of 1983
 20(I) of 1992
 5(I) of 2000
 41(I) of 2001
 91(I) of 2003
 146(I) of 2005
 24(I) of 2010
 99(I) of 2010.

119(I) of 2000
 212(I) of 2004.

- (jj) any offence in contravention of the Violence in the Family (Prevention and Protection of Victims) Law, as well as the Combating of Trafficking of Persons and Sexual

- (iii) during the last five years to a sentence of imprisonment more than twelve months for any offence other than those referred to in subparagraphs (i) and (ii) hereinabove.

(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 shall, according to the category and class thereof, 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 in respect of which a licence to operate has not been issued;
- (b) keeps or operates any establishment without a licence to operate;
- (c) omits to issue invoices in contravention of the provisions of section 15,
- (d) operates an establishment where such an establishment is not managed by a manager in contravention of section 16,

4 of 65(I)/2007.

shall be guilty of an offence and shall be liable, on conviction, to a fine not exceeding eight hundred fifty four euros** or to imprisonment not exceeding six months or to both such penalties, and if the contravention continues after the conviction thereof, he shall be guilty of a further offence and shall be liable to a fine not exceeding eighty five euros** 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;

** P.I. 312/2007 issued pursuant to section 9(1) of the Adoption of the Euro Law, 2007 (L. 33(I)/2007, as amended).

Note: Law 3(I)/2000 was repealed and replaced by the Combating of Trafficking and Exploitation of Human Beings and the Protection of Victims Law, 2007 (L. 87(I)/2007).

(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
 57 (I) of 2007
 9(I) of 2009
 111(I) of 2011
 165(I) of 2011
 7(I) of 2012
 21(I) of 2012
 160(I) of 2012
 23(I) of 2013.

(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 one thousand two hundred eighty one euros** 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 all works in relation to the erection, construction, maintenance or operation of the establishment until the final adjudication of the case in relation to which the charge has been 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 2013 and the Civil Procedure Rules of Court.

Cap. 6.
 11 of 1965
 161 of 1989
 228 of 1989
 51(I) of 1999
 134(I) of 1999
 58(I) of 2003
 66(1) of 2004
 138(I) of 2006.

14 of 1960
 50 of 1962
 11 of 1963
 8 of 1969
 40 of 1970
 53 of 1972
 1 of 1980
 35 of 1982
 29 of 1983
 41 of 1983
 91 of 1983
 16 of 1984
 51 of 1984
 83 of 1984
 93 of 1984

** P.I. 312/2007 issued pursuant to section 9(1) of the Adoption of the Euro Law, 2007 (L. 33(I)/2007, as amended).

18 of 1985
 71 of 1985
 89 of 1985
 96 of 1986
 317 of 1987
 49 of 1988
 64 of 1990
 136 of 1990
 149 of 1991
 237 of 1991
 42(I) of 1992
 43(I) of 1992
 102(I) of 1992
 26(I) of 1993
 82(I) of 1995
 102(I) of 1996
 4(I) of 1997
 53(I) of 1997
 90(I) of 1997
 27(I) of 1998
 53(I) of 1998
 110(I) of 1998
 34(I) of 1999
 146(I) of 1999
 41(I) of 2000
 32(I) of 2001
 40(I) of 2002
 80(I) of 2002
 140(I) of 2002
 206(I) of 2002
 17(I) of 2004
 165(I) of 2004
 268(I) of 2004
 21(I) of 2006
 99(I) of 2007
 170(I) of 2007
 76(I) of 2008
 81(I) of 2008
 118(I) of 2008
 119(I) of 2009
 36(I) of 2009
 129(I) of 2009
 138(I) of 2009
 19(I) of 2010
 166(I) of 2011
 30(I) of 2013.

Vol. II
 page. 120,
 Gazette,
 Supplement No. 3:
 20.5.1954
 21.6.1956
 8.5.1958

Official Gazette
 Supplement No. 2:
 14.10.65
 23.12.65
 29.1.69
 24.10.69
 6.10.72
 18.1.74
 4.6.76
 3.2.78
 23.5.80
 3.9.82
 31.12.83
 25.4.86
 12.2.88
 29.10.90
 12.3.93
 2.4.93
 19.11.93
 24.2.95
 2.2.96
 23.2.96
 5.7.96
 19.7.96
 18.10.96
 1.11.96

11.12.96
 4.4.97
 30.5.97
 13.6.97
 25.7.97
 31.12.97
 6.2.98
 8.5.98
 29.5.98
 3.7.98
 27.11.98
 23.12.99
 29.12.2000
 12.1.2001
 1.6.2001
 30.11.2001
 21.12.2001
 25.1.2002
 18.10.2002
 7.2.2003
 4.7.2003
 18.7.2003
 14.11.2003
 21.5.2004
 17.12.2004
 21.1.2005
 20.1.2006
 27.1.2006
 5.12.2007
 16.5.2008
 20.2.2009
 23.7.2010
 9.9.2011.

(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 seventy euros** 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 five hundred twelve euros** 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 1 of May up to 30 of September-

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

** P.I. 312/2007 issued pursuant to section 9(1) of the Adoption of the Euro Law, 2007 (L. 33(I)/2007, as amended).

- from Monday to Thursday may remain open from 7.00 the morning every day until 2.30 the morning of the immediate following day;
- on Friday and Saturday may remain open from 7.00 the morning every day until 3.30 the morning of the immediate following day;
- on Sunday may remain open from 7.00 the morning every day until 2.30 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 the morning of the immediate following day;
- on Friday and Saturday may remain open from 8.00 at night every day until 3.30 the morning of the immediate following day;
- on Sunday may remain open from 8.00 at night every day until 2.30 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 houses and snack bars, with music or without music-

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

(ii) night clubs, 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) (a) Any extension or reduction of the fixed operational hours for establishments pursuant to subsection (1) of this section shall be granted only where there are special reasons, 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:

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

Cap. 144.

60 of 1963
8 of 1966
26 of 1968
4 of 1972
69 of 1977
20 of 1985
83(I) of 1998
7(I) of 2005

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 open an establishment or allows or permits an establishment to remain open, in contravention of an order made pursuant to subsection (1) and or in contravention of a permit granted pursuant to subsection (2), shall, on conviction, be liable, to a fine not exceeding eight hundred fifty four euros** 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 relative Regional District Officer after taking into account the views of the Organization.

19A.-(1) A person is not permitted to enter any establishment for purposes of entertainment unless proved by documentary evidence that such person is older than seventeen years of age or is accompanied by his parent or guardian:

Provided that, a person of seventeen years of age is not permitted to enter a cabaret even if he is accompanied by his parent or guardian.

(2) The liability for the control of entering any establishment by any person under the age of seventeen years, in contravention of subsection (1) of this section, shall also be borne by the person being the entrepreneur or the manager of the establishment or the person in charge of any premises or place in which the contravention has been committed, as well as the person who permitted such entering.

(3) Any person who contravenes the provisions of subsection (1) and (2) of this section shall be guilty of an offence and shall, on conviction thereof, be liable to imprisonment not exceeding three months or to a fine not exceeding one thousand, seven hundred and eight euros** or to both such penalties.

(4) In the case where the entrepreneur or the establishment's manager allows or permits any person under the age of seventeen years, to enter an establishment, either for purposes of entertainment or for any other reason in contravention of subsection (1), he shall be guilty of an offence and shall, on conviction thereof, be liable to a fine not exceeding eight hundred fifty four euros.**

(5) The provisions of this section shall not apply to establishments operating as restaurants, taverns, coffee shops, pizza houses and snack bars.

** P.I. 312/2007 issued pursuant to section 9(1) of the Adoption of the Euro Law, 2007 (L. 33(I)/2007, as amended).

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 carrying out of the provisions of this Law.

(2) Regulations made in accordance with this Law may provide for a fine up to five hundred twelve euros** 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, in whole or in part, the said Regulations, 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 the 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 the 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 five hundred twelve euros** 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:

** P.I. 312/2007 issued pursuant to section 9(1) of the Adoption of the Euro Law, 2007 (L. 33(I)/2007, as amended).

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

- (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.

Repeal and reservation.
91 of 1979.***

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

Provided that, any licence to operate a tourist establishment issued under the Laws hereby repealed 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 issue thereof as if it was issued under the corresponding provision of this Law and any matter relating to the revocation or renewal thereof 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.

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

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:

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.

Entry into force of this Law.

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

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

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

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

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

NOTE

The following observations do not form part of the principal law and they cannot be included in the consolidated text of the Law as a part thereof. However, in view of the fact that they affect the application of the Law, it was considered expedient to include them in this Note:

1. (a) By virtue of section 25 thereof, the Catering and Entertainment Establishments Law of 1985 (L. 29/85), published in the Official Gazette of the Republic, Supplement I, dated 6.4.1985, shall come into force on a date to be fixed by the Council of Ministers, by a notification published in the Official Gazette of the Republic.

(b) By a decision of the Council of Ministers pursuant to section 25 of L. 29/85, published in the Official Gazette of the Republic, Supplement III(I), dated 10.10.86 (P.I. 244/86), Law 29/85 came into force on the 1st November, 1986.
2. The Catering and Entertainment Establishments (Amendment) Law, 2005, (L. 151(I)/2005), published in the Official Gazette of the Republic, Supplement I(I), dated 23.12.2005, contains the following provision:

“Entry into force
of this Law.

4. This Law shall come into force on the 1st January, 2006”.