

Official Gazette, Supplement III(I): 28.11.86 29.10.99 23.12.2005

THE CATERING AND ENTERTAINMENT ESTABLISHMENTS REGULATIONS, 1986 TO 2005

(English translation and consolidation)

Office of the Law Commissioner Nicosia, May, 2014

THE CATERING AND ENTERTAINMENT ESTABLISHMENTS REGULATIONS, 1986 TO 2005

ARRANGEMENT OF SECTIONS

PART I. - INTRODUCTORY PROVISIONS

Section

- 1. Short title
- 2. Interpretation

PART II.- CLASSIFICATION, LICENCE, PRICES AND NAME OF ESTABLISHMENT

- 3. Classification of Establishments
- 4. Renewal of classification of Establishment and re-classification
- 5. Licence to operate
- 6. Fees
- 7. Name of Establishment
- 8. Price composition
- 9. Pricelists
- 10.Receipts book

PART III.- BUILDINGS AND HOTEL INSTALLATIONS

- 11. Buildings and Establishment plans
- 12.Car Parking Place
- 13.Installations
- 14. Sewage, drainage and garbage
- 15.Gas installations
- 16.Electrical installations
- 17.Entrance
- 18.Establishment hall

- 19. Common lavatories
- 20.Food preparation room
- 21.Lighting. Ventilation
- 22.Stores
- 23. Air conditioning
- 24. Furniture, equipment, linen
- 25. Open-air establishments

PART IV – SERVICE OF CUSTOMERS, EMPLOYMENT OF STAFF AND SERVICES RENDERED

- 26.Service
- 27.Staff composition
- 28.Staff uniforms
- 29. Work performed
- 30. Obligations of owner of the business
- 31.Behaviour and complaints

PART V - MISCELLANEOUS PROVISIONS

- 32.Offences and Penalties
- 33.Re-classification
- 34. Provisions of Regulations in addition to other provisions
- 35.Circulars
- 36.Relaxations
- 37. Transitional provisions
- 38.Repeal of the Tourist Establishments Regulations, 1980 and 1981

FIRST TABLE

FORM OF LICENCE

SECOND TABLE

FEES

THE CATERING AND ENTERTAINMENT ESTABISHMENTS LAW (LAW 29 OF 1985)

Regulations made under section 20

29 of 1985 214 of 1991 104(I) of 1999 90(I) of 2000 151(I) of 2005 65(I) of 2007. In exercise of the powers vested in it by section 20 of the Catering and Entertainment Establishments Law, 1985, the Council of Ministers makes the following Regulations.

PART I INTRODUCTORY PROVISIONS

Short title.
Official Gazette of the Republic,
Supplement III(I):
28.11.86.
29.10.99
23.12.2005.*

1. These Regulations may be cited as the Catering and Entertainment Establishments Regulations, 1986 to 2005.

Interpretation.

2. In these Regulations, unless the context otherwise requires-

«Law» means the Catering and Entertainment Establishments Law, 1985, and includes any law amending or substituted for the same;

all other terms and phrases shall have the meanings respectively assigned to them by the Law.

PART II CLASSIFICATION, LICENCE, PRICES AND NAME OF ESTABLISHMENT

Classification of Establishments.

- **3.-**(1) The entrepreneur shall, at least one month before the date when the establishment begins to operate, submit to the Board of Directors an application for classification and the issue of a licence to operate thereof.
- (2) The classification of establishments into the category and class contemplated shall be made upon the approval of the application, but as regards the final class within three months from the commencement of the operation of the establishment.
- (3) The Board of Directors shall proceed with the classification of the establishment, following an examination as to the concurrence of the terms and conditions provided by the Law and these Regulations, for the category and class contemplated.
- (4) The examination shall be carried out by members of a Committee or by authorized officers of the Organization or other persons authorized by the Board of Directors, in the presence of the entrepreneur or a representative thereof.

^{*} See Note at the end of the text.

- (5) The decision of the Committee upon the examination shall be submitted duly reasoned before the Board of Directors, which shall proceed with the classification.
- (6) The classification in the class contemplated by the study (specifications) and plans shall be compulsory where the conditions prescribed for its classification are satisfied in accordance with the Law and these Regulations.
- (7) In addition to the provisions of these Regulations, the classification of every establishment to class A or B shall depend on the value and quality of construction of the building, technical finish, furniture, equipment, staff, perfect functional organization, supply of services (variety, quality and presentation of offered food), quality of the services provided, maintenance, decoration, and the whole appearance of the building and the space of the business.

Renewal of classification of establishment and re-classification.

4.-(1) The renewal of classification of every establishment as well as its re-classification shall be made in accordance with the classification procedure provided for under Regulation 3.

Licence to operate.

5.-(1) The licence to operate shall be issued, upon the classification, in the name of the entrepreneur and shall relate to a particular establishment:

Provided that, in the event of change of the entrepreneur or the name of the establishment a new licence shall be required.

First Table.

- (2) The licence to operate every establishment shall be issued in the form set out in the First Table.
- (3) The licence shall be valid for one year or part thereof and shall expire on the 31st of December of every year.
- (4) Every establishment may be classified into more than one categories under the same licence to operate.

Second Table.

- **6.**-(1) The fees payable by the entrepreneur for the issue or renewal of the licence to operate or for a copy thereof shall be those set out in the Second Table.
- (2) The said fees shall be paid by the entrepreneur upon the issue or renewal of the licence to operate or upon the issue of a copy thereof, as the case may be.

Name of Establishment.

- 7.-(1) The rights of ownership and use over the name of the establishment in the Republic shall belong to the entrepreneur and shall be transferable with the transfer of the establishment.
- (2) Whenever the operation of the establishment shall be suspended the owner of the name shall preserve his rights over it for a period of one year during which he may use the said name again for the same or when it has finally ceased to function as an establishment, for another establishment of the same category, subject to the approval of the Board of Directors.

Price composition.

- 8. Establishment prices shall be made up of-
 - (a) the price for the services rendered;
 - (b) the "service charges";
 - (c) any extra charge;

Official Gazette, Supplement III(I): 23.12.2005.*

Official Gazette, Supplement III(I): 23.12.2005. *

Official Gazette, Supplement III(I): 23.12.2005. * (d) any entrance fee;

- (e) any extra charge or surcharge due to special events or entertainment programs;
- (f) any other factors which may be prescribed by the Board of Directors.

Pricelists.

- **9**.-(1) Every Establishment classified as restaurant or tavern shall be bound to offer a special fixed menu. (TABLE D'HOTE).
- (2) Pricelists pursuant to section 13 of the Law shall include prices of every type of food offered by the establishment, beverages or sweets, bottled water, the price of a fixed menu, as well as all other special charges:

Provided that the preparation and serving of food and beverages must comply with the category of the establishment and the pricelist of every establishment approved from time to time by the Organization.

- (3) Pricelists shall be written in Greek and at least in one other foreign language.
- (4) Prices for every item shall relate to regular quantity and quality and the food shall be prepared and presented in an appropriate professional way.
- (5) All establishments shall, irrespective of category, offer to their customers, coffee, beer, refreshments or drinks, which shall be displayed on the pricelist of the establishment, without any obligation on behalf of the customer to order food:

Provided that, the above obligation shall not be applicable in cases of establishment categories of «RESTAURANT» or «TAVERN», between the hours of 12.00 and 15.00, provided this is clearly displayed on the approved pricelists and at boards placed in a conspicuous place of the establishment, for information to customers.

- (6) Establishments with live music shall necessarily display on their pricelists the hours of operation of the music, the prices of the offered items with or without music as well as any additional charge.
 - (7) Pricelists shall clarify:
 - (a) the type of fish and meat used for the preparation of every food, and
 - (b) whether the goods are fresh or frozen.
 - (8) Cyprus coffee shall necessarily be accompanied with drinking water.

^{*} See Note at the end of the text.

Receipts book.

- **10.-**(1) Every manager or entrepreneur of every establishment shall keep the prescribed special receipts book and shall enter therein particulars and information relating to the daily collections and/or charges and shall present the same for inspection to any authorized officer of the Organization.
- (2) The shape, numbering, contents as well as all remaining particulars of the said special book shall be prescribed by the Organization, the said special book shall be issued by the Organization and shall be given to every establishment.

PART III BUILDINGS AND ESTABLISHMENTS INSTALLATIONS

Buildings and establishments plans.

- 11.-(1) In addition to any provisions in force for the time being relating to the catering, recreation and entertainment establishments buildings, the establishment building shall be self-contained and all the spaces thereof shall be used for the purposes of the establishment.
- (2) In drawing up the plans provision shall be made so that the buildings be properly located within the surrounding grounds and aesthetically suited to the landscape.
- (3) Notwithstanding the provisions of any other law in force for the time being, the Committee may reject plans, which, according to its opinion, shall not be compatible with the landscape and shall not be in harmony with the environment and the character of the area or are not in agreement with the government tourist policy. The Committee may also, in connection with the class for which every establishment is intended, impose alterations to the plans, according to its discretion, as regards the front elevation and exterior shape of the building as well as the volume thereof provided that the alterations shall comply with the provisions of the town planning zones in force at the time.
- (4) It shall be considered advisable, where possible, to adopt architectural forms and designs of local colour.

Drawing up of plans.

(5) The drawing up of plans shall be carried out by an architect or a civil engineer registered in the register of Architects and Civil Engineers which is kept subject to the provisions of the Architects and Civil Engineers Law, 1962 to 1992.

- (6) The plans must be submitted to a scale of 1:100 and include front elevation, ground plan and sections.
 - (7) Upon the submission of the plans there shall be submitted—
 - (a) an application form;
 - (b) a certificate of ownership of the site or a copy thereof where it concerns the erection of a new establishment or an agreement of lease or a certificate of ownership where it concerns the conversion of an existing building;

- (c) a land survey plan indicating the position of the site and the official access road;
- (d) a general land registry plan for the development of the site;
- (e) any additional particular which may be considered necessary.
- (8) The taking of precautionary measures against heat, noise, as well as insects, shall be compulsory. For each of the above cases the principles and methods indicated by technology shall apply.
- (9) Protection against fire shall be secured pursuant to the guidelines of the Fire Service in force for the time being.
- Car parking place. S.L. Vol I P.I. 13/81 p. 307. Gazettes, Supplement No. 3: 14.10.54 20.1.55 21.6.55 2.8.56

12. The car parking place shall be compulsory for every establishment, pursuant to the Streets and Buildings Regulations or other legislation in force for the time being.

7.2.57. Gazettes, Supplement No. 3: 14.3.63 23.10.64 11.2.65 25.5.67 11.7.69 13.10.70. Official Gazette. Supplement III(I): 7.1.72 13.2.76 27.10.78 21.12.79 25.7.80 14.11.80 26.11.82 22.2.85 30.1.87 10.4.87 20.11.92 31.12.92 18.3.94 8.4.94 30.4.99 3.3.2000 9.6.2000 6.6.2003 18.7.2003

13. Every establishment shall be provided with:

- (a) adequate and suitable water supply,
- (b) electricity supply,
- (c) telephone.

Sewage, drainage and garbage.

25.11.2011 2.5.2013. Installations.

14.-(1) Dirty water and sewage in general of the establishment shall be conducted by means of an adequate number of sewage pipes provided with the required tanks for their cleaning either in common sewage system, if available, or in a private one consisting of a series of

septic and absorption pits. Where it is practically impossible for absorption pits to operate due to the composition of the ground, the establishment shall be provided with a system of biological cleaning of the sewage:

Provided that, the Organization has the right to request the installation of a biological sewage cleaning system where this is deemed necessary because of the size or position of the establishment.

- (2) Where it is not possible for the garbage of the establishment to be disposed of by a public service for the removal of garbage, it is imperative that there should be a special cremating furnace and there shall invariably exist a suitable and isolated place for their temporary storing until the time of their removal or cremation.
- (3) The place where the garbage is to be disposed and the position for installing the cremating furnace shall be selected so that:
 - (a) the garbage may not be visible by the customers;
 - (b) bad smell from the garbage may not annoy customers and staff;
 - (c) the attraction of animals, flies or other dangerous or annoying insects shall be prevented.
- 15. The installations of gas apparatus must be in accordance with the provisions in force for the time being of the Petroleum Laws and the Regulations made thereunder.
- 16.-(1) The Electricity Regulations in force for the time being shall be applicable to electrical installations.

- (2) The electrical installations which are indispensable for every establishment shall include the service lines of the electric current from the central network and, in default thereof, the installations for the production of the same current, the transforming equipment of electric current, where such are necessary, the distribution network within the main space and the buildings to the points of supply, the electric light installations and the special installations of socket outlets for electrical machinery appliances of the establishment.
- (3) The electric lighting installations shall be complete and extend to all suites and spaces of every establishment including auxiliary spaces, sanitary parts and outdoor spaces. The fixing of the lighting fittings shall be made in accordance with the accepted technical and aesthetic rules and the electric intensity thereof shall be adequate. Auxiliary socket outlets shall be placed in suitable positions to serve special needs.
 - (4) At the main and auxiliary entrances-exits and in the corridors and staircases as well as

Gas installations. Cap. 272. 64 of 1975 138(I) of 2004 7(I) of 2010.

Electrical installations. S.L. Vol I p 102. Gazettes, Supplement No. 3: 5.11.53. Gazettes, Supplement No. 3: 10.4.64. Official Gazette, Supplement III(I): 12.3.1976 20.6.1980 23.11.1990 8.11.1991 18.6.1999 30.4.2004 9.3.2012.

the escape exits of each establishment there shall be placed special emergency lighting to operate in case of interruption of the ordinary electric energy.

(5) All lighting fittings shall be covered by a diffuser or shade or decorative cover according to the use of each, the aesthetic demands and the class of the establishment.

Entrance.

- **17.**-(1) Irrespective of the class of the establishment, the main entrance shall be double, of four leaves arranged in pairs, provided with air parapet.
 - (2) It shall be compulsory to have a staff or service entrance irrespective of class.
- (3) Next to the main entrance of a night-club and first class establishments, in the restaurant and cabaret category, there shall be a cloak-room.

Establishment hall.

- **18.-**(1) Every establishment shall have a suitable hall, which may be unified or consist of many adjoining halls, be well decorated, in accordance with the category and class of the establishment so as to allow the comfortable movement and service of customers.
 - (2) The minimum floor area of every establishment hall shall be fixed as follows:
 - (a) Restaurant or Tavern: 30sqm.
 - (b) Cafeteria or Pizza house: 30sqm.
 - (c) Pub or Bar: 20sqm.
 - (d) Night-clubs: 60sqm.
 - (e) Discotheque: 50sqm.
 - (f) Snack Bar: 20sqm.
 - (g) Cabaret: 70sqm.
- (3) Every establishment in the category of first class «Restaurant» or «Tavern», shall necessarily have its own lobby with a number of seats for the temporary stay of the establishment's customers:

Provided that, this area can be combined with the Bar area, where such is available.

(4) Establishments in the category of «night-clubs», «Discotheque» and «Cabaret» shall be provided with an area for the orchestra and «dance floor», depending on the capacity of the establishment:

Provided that, «night-clubs» shall be provided with an orchestra comprising at least three musical instruments and a permanent dance floor. Any area created by moving aside tables or other furniture shall not deemed to be a dance floor.

- (5) It shall be compulsory for Class A' establishments with communal halls in two or more floors, to have two staircases, one for the customers and another for the staff.
- (6) Every establishment in the category of «Cabaret» and «night-club» must have changing and dressing rooms for the artists, separately for men and women.

Common lavatories.

19.-(1) Every establishment must have at least two common lavatories separately for men and women, with own ante-rooms equipped with wash-basins, as well as the necessary equipment and installations and shall satisfy all sanitary conditions:

Provided that, in first class establishments, in the ante-rooms of common lavatories, there shall be devices for drying hands apart from a swab.

(2) Every establishment must be provided with dressing rooms for the staff, separately for men and women, with lavatories and own ante-rooms equipped with wash-basins:

Provided that, in cases of establishments where the staff employed do not exceed six persons, the staff rooms may be concentrated into a communal area for men and women.

- (3) The walls of the common lavatories shall be dressed with tiles or other suitable material up to a height of at least one meter and eighty centimeters, the remaining part being suitably oil-painted.
- (4) The number of the common lavatories shall increase according to the capacity of the establishment by a ratio of one lavatory to 30 persons.

For purposes of calculating the capacity of the establishment the ratio of 1 square meter per person shall apply beyond the minimum areas prescribed under Regulation 18:

Provided that, in the case of establishments of a big capacity this ratio may be reduced.

- (5) In the spaces of the common lavatories there shall either be direct ventilation through windows easily accessible and used or absolutely adequate ventilation by a perfect mechanical installation.
- (6) Common lavatories may be situated in the basement, or mezzanine, provided that they are away from auxiliary rooms and that access by the customers thereto shall be easy and a suitable sign shall be placed thereof.
- (7) Common lavatories shall be thus situated so as not to be in direct communication with store rooms or areas for preparation of food.

Food preparation room.

20.-(1) Every establishment in the category of «Pub», «Discotheque», «Snack Bar», «Cabaret» and «night-club» shall have a food preparation room of an area not less than 8sqm:

Provided that, the area of the preparation room shall increase according to the capacity of the establishment.

- (2) Every establishment under the category of «Restaurant or Tavern» and «Coffee-shop or Pizza house», shall have a kitchen, the minimum floor area of which must be 15 square meters, increasing depending on the capacity up to 50% of the area of the hall of sitting and dining space.
- (3) The kitchen area shall be adequately lighted and ventilated from an uncovered space and shall, invariably, be provided above the cooking-stove, with a mechanical appliance absorbing the steam and smells produced.
- (4) At all external openings of the kitchen there shall, invariably, be placed protecting frames of light grill which shall always be kept in good condition.

- (5) Near the kitchen and in a place lying in between the kitchen and the dining-room there shall be an OFFICE cabin. This shall communicate with the dining-room through a double swinging door and with the kitchen through a wide opening where there shall be placed a dividing counter suitable for the kitchen staff to place the dishes thereon to be taken away by the waiters, and, conversely, for the latter to place the used utensils for washing.
- (6) The office area shall correspond to the business of the establishment and shall allow the staff to move comfortably therein.
- (7) In the office there shall be placed sideboards and linen cupboards of the dining room, working tables as well as any other auxiliary installation for the operation of the restaurant.
 - (8) The kitchen shall be provided with-
 - (a) private space and washing appliances for cooking utensils;
 - (b) suitable private spaces for cleaning and preparing of foodstuff;
 - (c) supply of continuous hot and cold water, with the provision of suitable water tanks;
 - (d) private wash basin for use by the staff.
- (9) The kitchen walls and the auxiliary spaces, shall be dressed with tiles or other suitable material, up to a height of at least one meter and eighty centimetres, the remaining part being suitably painted.
- (10) The kitchen floor or preparation room shall be of a water proof and smooth material and be kept in excellent condition.

Lighting. Ventilation.

- **21.-**(1) Natural or artificial light and ventilation of all the establishment's spaces, shall be compulsory.
- (2) In the communal spaces of Class A' establishments in the category of «night-club», «Discotheque», «Cabaret» and «Restaurant» ventilators shall be placed for the continuous change of the air during the operation of the establishments.

Stores.

- **22.-**(1) The stores shall have an area corresponding to the capacity and category of the establishment and shall be equipped with suitable shelves.
 - (2) There shall be distinguished into the following-
 - (a) stores for food and beverages;
 - (b) stores for furniture, equipment and materials of any other kind;
 - (c) stores for empty bottles etc;
 - (d) stores for garbage.

Air conditioning.

- **23.**-(1) The cooling installations shall be indispensable for every Class A' establishment, with the exception of those operating in hill resorts.
- (2) As regards heating during the cold months of the year, this shall, in the case of establishments not suspending their operation during the winter months, and in the case of Class A' establishments, be provided to the communal areas either by means of an air

conditioning system, or by means of a central heating system and as regards Class B' establishments be provided with heaters of sufficient capacity.

Furniture, equipment, linen.

- **24.-**(1) Furniture, equipment and linen in every establishment shall appear to be adequate so as to ensure conditions of comfortable stay and excellent service to the customers, as well as proper functioning of the services and aesthetic appearance.
- (2) Class A' Restaurants shall be equipped with tablecloths and napkins in immaculate condition.
- (3) The utensils and the equipment of preparing and serving food shall be made of materials enabling the perfect cleaning thereof and prevention of the absorption of any substances which may cause food poisoning.

Open –air establishments.

25. The provisions of Regulations 17, 18 and 23 shall not be applicable as regards open-air establishments.

PART IV SERVICE OF CUSTOMERS, EMPLOYMENT OF STAFF AND SERVICES RENDERED

Service.

26. The offer of a high quality of service and the variety of meals shall constitute an important factor for the classification and the continuation of the class of every establishment.

Staff composition.

- **27.**-(1) Every business shall, according to its class and capacity, employ the necessary and suitably qualified staff in order to provide a satisfactory degree and level of service.
- (2) Class A' "Restaurants" shall employ a responsible person MAITRE and have the capacity to offer special dishes. (FLAMBE)

Staff uniforms.

28. The staff employed shall wear a uniform appropriate to the specialization thereof, which shall always be kept in good and clean condition. As regards staff who deals with the preparation of food, they must wear a white blouse and a hat.

Work performed.

29. The work in all parts of the establishment shall be carried out with the utmost care so that the creation, in any way, of annoyance to the customers be avoided.

Obligations of owner of the business.

- **30.** The owner of the business and Manager shall be responsible for-
 - (a) the perfect maintenance and impeccable cleanliness of all spaces, furniture and equipment of the establishment;
 - (b) the rendering of quick and high quality service in all parts of the establishment;
 - (c) the provision of well-prepared and satisfactory food as regards quality and quantity;
 - (d) the supply of the services and amenities offered and advertised by the establishment;
 - (e) the suitable keeping and preservation of food and beverages.

Behaviour and complaints.

31.-(1) Customers having any complaint against any member of the staff shall apply to the person who is hierarchical superior to him or to the Manager.

- (2) The manager of the establishment and its staff shall behave with utmost politeness towards any customer of the establishment and shall display willingness and energy in the performance of their duties.
- (3) In the event of a complaint by a staff member against a customer, the former shall report the specific complaint to his superior and if he is not satisfied, to the manager of the establishment, but he shall be expressly forbidden to refer directly to the customer.

PART V MISCELLANEOUS PROVISIONS

Offences and penalties.

32. Any person who contravenes any of the provisions of these Regulations or omits to comply therewith shall, unless otherwise provided in these Regulations, be guilty of an offence and shall be liable on conviction to imprisonment not exceeding six months or to a fine not exceeding five hundred twelve euros*, or to both such penalties.

Re-classification.

33. Notwithstanding the provisions of Regulation 4, the Board of Directors may, where a continuous contravention is ascertained of any of the provisions of the Law or these Regulations, proceed to re-classify the establishment and place it in the immediately following lower class.

Provisions of Regulations in addition to other provisions. **34.** The provisions of these Regulations which are applicable to a certain matter shall be in addition to the provisions applicable to the same matter by any law in force, regulation, custom, rule, order, or any other provision of a statutory nature or the provisions of any public instrument.

Circulars

- **35.-**(1) The Organization shall issue circular guidelines for every matter concerning the particulars and documents submitted for the issue of a licence.
- (2) Every manager or entrepreneur of every establishment shall, according to circular guidelines of the Organization, submit any statistical data or other particulars concerning the number of customers at the business.

Relaxations.

36. For the purpose of classification, the Board of Directors may, upon a reasoned recommendation of the Committee, approve to a limited extent, relaxations of particular Regulations, provided that the existing buildings or existing establishments otherwise exceed the minimum requirements prescribed by these Regulations for classification into one of the classes provided by section 5 of the Law.

Transitional provisions.

37. -(1) Any classification made pursuant to the repealed Regulations of establishments in operation or under construction on the date of publication of these Regulations in the official gazette of the Republic or of the establishments in respect of which an application for classification has been submitted and the architectural plans of which have been approved by the Committee, shall be deemed to be and be valid as a classification of the same category under these Regulations:

Provided that, existing establishments operating on the coming into force of these Regulations, which do not satisfy the minimum requirements of these Regulations may be classified in class C'.

Official Gazette, Supplement III(I): P.I. 203/80 1.8.80.

(2) All obligations arising from the Tourist Establishments Regulations, 1980 shall remain in force as if the said Regulations had not been repealed, but any investigation in relation to an offence committed in contravention of the provisions of the said Regulations, may be

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

continued and any procedure, criminal or civil, before the Court, shall not be affected in any way, as if the above Regulations had not been repealed.

Repeal of the Tourist Establishments Regulations, 1980 and 1981. Official Gazette, Supplement III(I): 1.8.80 23.1.81. **38.** The Tourist Establishments Regulations, 1980 and 1981, are hereby repealed.

FIRST TABLE FORM OF LICENCE (Regulation 5)

Serial Number					
Number of Licence					

CYPRUS TOURISM ORGANISATION LICENCE TO OPERATE AN ESTABLISHMENT

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29.10.99				on 6(1)	, ,							
29.10.9°	フ		(Regulation	лι υ(1)	"							
1. The	fees for the i	ssue or renewal of	f a licence t	o oper	ate anv	establis	hment ca	tegory	sha	ll be-		

- €170 * for class A.
 - (i)
 - €85* for class B. (ii)
 - €51* for class C. (iii)
- 2. For each copy of a licence to operate the fee shall be $\in 17^*$.
- 3. For each issue or renewal of a licence to operate the establishments situated and operating within licenced hotel units the fee shall be €17.

^{*} 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

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. The Catering and Entertainment Establishments (Amendment) Regulations, 2005 (P.I. 588/2005), published in the Official Gazette of the Republic, Supplement III(I), dated 23.12.2005, contain the following provision:

"Entry into force of these Regulations shall come into force on the 1st January, 2006". Regulations.