

*The whole Law repealed
by Law 13 of 1928* 18 OF 1924.

A.D. 1924. TO AMEND THE LAW PROVIDING FOR THE MAINTENANCE
18 of 1924. OF PUBLIC HEALTH IN THE VILLAGE OF PLATRES.

MALCOLM STEVENSON.]

[December 22, 1924.]

Short title.

1. This Law may be cited as the Platres Public Health (Amendment) Law, 1924, and shall be read as one with the Platres Public Health Law, 1908, (hereinafter referred to as the Principal Law), and the Principal Law and this Law may together be cited as the Platres Public Health Laws, 1908 and 1924.

Amendment
of Law 6 of
1908, sec. 4.

2. The Principal Law, section 4, is hereby amended by the deletion of the word "June" and the substitution therefor of the word "April".

Amendment
of Law 6 of
1908, sec. 6.

3. The Principal Law, section 6, is hereby amended by the deletion of the word "May" and the substitution therefor of the word "March".

Amendment
of Law 6 of
1908, sec. 7.

4. The Principal Law, section 7, is hereby amended by the deletion of the word "June" and the substitution therefor of the word "April".

Amendment
of Law 6 of
1908, sec. 8

5. The Principal Law, section 8, is hereby amended by the deletion of the word "June" and the substitution therefor of the word "April".

Repeal of
Law 6 of
1908, sec. 18
and substi-
tution of
new section.

6. The Principal Law, section 18, is hereby repealed and in place thereof the following section shall have effect:

Extraordi-
nary duties.

"18. In addition to the duties conferred upon the Board as in the preceding section of this Law mentioned the Board shall during its period of office have and exercise within the village of Platres the following express duties:—

(1) To provide for the removal of all night soil and refuse from every house in Platres;

(2) To provide that all drains, urinals, privies and cesspits within Platres shall be so constructed and kept as not to be a nuisance or injurious to health;

(3) To keep all roads, paths, streets and public places in Platres sufficiently lighted at night ;

(4) To provide that the village of Platres is kept clean and in a sanitary condition ;

(5) To provide for the establishment and regulation of markets ;

(6) To provide for the establishment and regulation of slaughter houses ;

(7) To provide for the establishment and regulation of bakeries ;

(8) To provide for the establishment and regulation of wash-houses or other places for the washing of clothes, household linen, and the like articles ;

(9) To provide for the regulation of khans and places where horses, mules, donkeys, pigs, sheep, and cattle are kept ;

(10) To provide for the regulation of shops ;

(11) To provide for the regulation of the sale of bread, meat and other articles of food ;

(12) To provide for the regulation of the building of huts and houses and the erection of tents.

(13) To provide for every other purpose which may be necessary or expedient for the conservancy of the village of Platres, the preservation of public health, and the preservation of the comfort, and convenience of the persons inhabiting or resting in the village of Platres ;

(14) To provide for the appointment and payment of the staff necessary for the carrying out of the above purposes."

7. The Principal Law, section 23, is hereby amended by the deletion of the word "June" and the substitution therefor of the word "April".

Amendment
of Law 6 of
1908, sec. 23.

8. The Principal Law, section 24, is hereby amended by the deletion of the word "June" and the substitution therefor of the word "April".

Amendment
of Law 6 of
1908, sec. 24.

9. The Board may, with the authority of an order of the High Commissioner and subject to such terms and conditions as may be imposed by such order, borrow money for carrying out any work of public utility.

Borrowing
powers.

Power to acquire land.

10. The Board shall have power at any of its meetings by resolution of a majority composed of not less than three members, to decide that any land within the village of Platres shall be acquired for any of the following purposes :

- (a) The construction of a new street ;
- (b) The opening, widening, straightening, or improving of any existing street ;
- (c) The erection of a public building ;
- (d) Any other purpose of public utility.

Submission of proposal to High Commissioner.

11. A copy of the resolution and of the minutes relating to it, together with a plan of the land to be acquired, shall be forwarded by the Board to the Commissioner of Limassol for submission by him to the consideration of the High Commissioner as hereinafter provided.

Notice to be served on owner of land it is proposed to acquire.

12. The Commissioner of Limassol, before forwarding the documents aforesaid for submission to the consideration of the High Commissioner, shall cause a notice to be served on the owner of the land it is proposed to acquire, or his legal representative, or, in his absence, on the occupier of the land, advising him of the proposed acquisition and that he may examine the plan thereof and present any objection he may have to make thereto within one month of the service of the notice. At the expiration of the month the Commissioner of Limassol shall forward to the High Commissioner the resolution, minutes, and plan, together with the objections made, if any.

High Commissioner may sanction acquisition of land.

13. If the High Commissioner approves the plan submitted and shall consider it expedient, having regard to all the circumstances of the case, that the Board shall be permitted to acquire the land in question, he may, by notification published in the *Cyprus Gazette*, sanction the acquisition of the land ; and thereupon, if the owner of the land does not agree with the Board as to the sum to be paid for it, the Board shall proceed as hereinafter prescribed.

Valuation of land by arbitrators.

14. The Board shall apply to the District Court to refer the determination of the value of the land to arbitrators ; and the Court shall thereupon order that a notice be sent to the owner of the land, and shall fix a day for the appearance of the parties before the Court,

15. On the day appointed as aforesaid, if all the parties appear and each party shall appoint an arbitrator on his behalf, the Court sitting in full shall record the appointment of the arbitrators and appoint a date for the filing of their award, and shall, at the same time, name an umpire who may enter on the reference if the arbitrators fail to make an award by the date appointed, and shall further fix the date on which the umpire shall file his award in any case referred to him. If any party fails to appear or refuses to appoint an arbitrator the Court shall name an arbitrator on his behalf.

Appoint-
ment of
arbitrators.

16. The District Court may make any order it may think right as to the amount of fees and expenses to be paid to the arbitrators or umpire in connection with their arbitration and award, and may direct by whom they are to be paid.

Fees and
expenses of
arbitrators.

17. When the award of the arbitrators or of the umpire has been filed the Court shall, on the application of any party to the proceedings, fix a date for the parties to appear before the Court, and shall for this purpose cause a notice to be served on each party interested.

Award of
arbitrators.

On the date fixed the Court shall make known to the parties the award of the arbitrators or umpire, which shall for all purposes be final and conclusive, and shall order the Board to pay the sum awarded to the owner or owners of the land.

Provided always that the Court may order that the whole or any portion of the sum awarded, as hereinbefore mentioned, be paid to any mortgagee of the land in satisfaction, in whole or in part, of the sum secured by the mortgage, or to any lessee of the land as compensation in respect of the determination of his tenancy, or to any judgment creditor who has registered his judgment in the manner provided by law in satisfaction in whole or in part of the sum due under the judgment.

Provided also that if any person refuses to accept any sum ordered to be paid to him under the provisions of this section, or is absent from Cyprus, the Board may pay the sum into Court.

18. On payment of the sum awarded to the party entitled to receive it or into Court in the manner provided in the preceding section, the Court shall order that the land be

Transfer of
land to
Board.

acquired by the Board; and thereupon all the interest of the owner, occupier, mortgagee, or lessee of the land in the land shall be deemed to be transferred to and vested in the Board.

Amendment
of registra-
tion of land.

19. On production of evidence of the payment of any sum agreed upon or of any sum awarded for land acquired under this Law, the Principal Officer of Land Registry in Limassol may cause notice to be served on any person in whose name the land is registered calling upon him to bring to the Land Registry Office, within a given time, his certificate of registration, and the certificate, and the registration to which it corresponds, shall be amended in accordance with the plan sanctioned by the High Commissioner; and if any person as aforesaid fails, within the time allowed, to present for amendment his certificate of registration, the Principal Officer of Land Registry in Limassol may amend the original registration as aforesaid, and the amended registration shall be held final, notwithstanding that the certificate which corresponds thereto remains without amendment.

Board may
be required
to take the
whole of a
building.

20. Notwithstanding anything in this Law contained, the Board shall not be empowered to acquire under the provisions of this Law a part only of any building if the owner is willing and able to give a good title to the whole thereof.

Board may
acquire
land on
either side
of a new
street for
the erection
of buildings.

21. Where land is required by the Board for the opening of a new street, it may acquire a sufficient extent of land on each side of the proposed street to admit of the erection thereon of suitable buildings or tenements with a frontage on the new street.

Power to
Board to sell
and lease
lands com-
pulsorily
acquired.

22. The Board may sell, lease, or exchange any land acquired under the provisions of this Law in excess of the extent actually required for the purpose of public utility in respect of which it has been acquired.

Power to
Board to
abandon
project of
improve-
ment.

23. Notwithstanding anything in this Law contained, the Board, if it shall think fit to abandon the project in respect of which proceedings for the acquisition of land under this Law have been taken, shall not be compelled to take the land unless it has been transferred under section 19 hereof or the owner or occupier has delivered up possession thereof.

Provided that all costs and expenses incurred by any owner or occupier by reason of the failure of the Board to take the land shall be paid by the Board.

24. In this Law the word "Land" shall extend to and include buildings, trees and other immovable property situated within the village of Platres which may by law be sold and purchased or exchanged. Definition.

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of the 2nd January, 1925.*
