

Repealed by Law 12 of 1946

Amended by Law 8/1932, 50/1932, 10/1935

No. 25 OF 1927.

TO REGULATE THE CONSTRUCTION OF BUILDINGS,
STREETS AND WELLS ON ARAZI MIRIE.

A.D. 1927.
25 of 1927.

RONALD STORRS.]

[November 15, 1927.

BE it enacted :—

See Law 50, 1932

1. This Law may be cited as the Construction of Buildings, Streets and Wells on Arazi Mirié Law, 1927. Short title.

2. In this Law the following words and expressions have the meanings hereinafter assigned to them, unless such meanings are repugnant to or inconsistent with the subject matter in which the words or expressions occur :— Interpretation.

“ Building ” means and includes any dwelling-house, shop, khan, warehouse, factory, store, office or other like construction, whether of stone, mud, iron, wood or other material, including any stable, privy or other outbuilding attached thereto or connected therewith, or not attached thereto or not connected therewith, and any foundation, wall, roof, chimney, verandah, balcony, cornice or projection or part of a building, or anything affixed thereto, and any wall, earthbank, fence, paling or other construction enclosing or delimiting or intended to enclose or delimit any land of the Arazi Mirié category, and any structure which cannot be severed from the soil of any land of the Arazi Mirié category without cutting or breaking.

“ Street ” means and includes any land or part of land of the Arazi Mirié category which is set aside by or with the approval of a Building Committee for the use of the public as a street, road, bridle-path, pathway, blind-alley, passage, footway, pavement, public square or public place.

“ Main through road ” means a street which has been declared to be a main through road by the Governor under the provisions of this Law.

“ Arazi Mirié ” includes lands of the category of Arazi Mevcoufé Takhsisat.

“ Well ” means and includes any cesspit and any well or chain or system of wells from which underground water is brought or raised to the surface naturally or by any water-wheel, pump, or other mechanical appliance, and any channel attached to or connected with any well or chain or system of wells, constructed or sunk on any land of the Arazi Mirié category.

“ Building Committee ” means a Building Committee duly constituted under the provisions of this Law.

Constitution
of Building
Committees.

3. There shall be Building Committees constituted as follows :—

(a) for the Municipal area of the town of Nicosia, the Building Committee shall be constituted of the Commissioner of the District as chairman, the Director of Land Registration and Surveys, the Director of Public Works, ^{& member of health} the President or Vice-President of the Municipal Council of Nicosia and a member of the Municipal Council of Nicosia nominated by the said Council, all for the time being ;

(b) for the Municipal area of each of the following towns, namely, Famagusta, Larnaca, Limassol, Paphos and Kyrenia, the Building Committee respectively shall be constituted of the Commissioner of the District as chairman, the President of the Municipal Council and the Divisional Engineer of the District, all for the time being ;

(c) for any District or Municipal area in any District, other than the Municipal areas of the towns hereinbefore prescribed, the Building Committee shall be the Commissioner of such District for the time being.

No building shall be erected, demolished or reconstructed or added to, altered or repaired without a permit from the Building Committee.

4. No building shall be erected, demolished or reconstructed and no addition, alteration or repair shall be made to any building on any land of the Arazi Mirié category without a permit to that effect first obtained from the Building Committee of the District or area in which the land is situated, in the manner hereinafter prescribed, and any person erecting, demolishing, reconstructing, or adding to or altering or repairing any building without such permit shall be deemed to have acted in contravention of this Law.

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Provided—

(1) that when the demolition, alteration or repair of any building is rendered necessary to secure the safety of the building or of any other building in dangerous proximity thereto, or of any passenger on any street, and it is not possible to obtain the previous permit of the Building Committee, such demolition, alteration or repair may be effected forthwith, but notice in writing of the same shall be given to the Building Committee within twenty-four hours of the arising of any such necessity ;

(2) that the terms “alteration” and “repair” shall not extend to the replacing of tiles, mud or other material in order to render any roof watertight, or to the repair of any existing door, window, balcony or verandah, or to the white-washing, colour-washing or painting of any wall, woodwork or ironwork in or about any building, or to the re-laying, re-boarding or re-paving of any floor or pavement contained within the external walls of any building or within any existing verandah or balcony attached to the building.

5. Before granting a permit under this Law, the Building Committee may require the production of plans of the building and ground plans showing the position of the building with respect to the plot on which it is to be erected and the access to such plot from an existing public road or street and may alter or modify any such plans as to the Building Committee seems necessary or desirable.

Building Committee may require production of plans before granting a permit.

6.—(1) Where a permit is granted by the Building Committee in respect of any building situated within the limits of any Municipality, such permit shall be presented for registration at the offices of the Municipality concerned by the holder thereof, and such permit shall be registered accordingly by the Municipality, and any person who shall not present such permit for registration shall be deemed to have acted in contravention of this Law.

Permits to build within Municipal limits shall be registered at the offices of the Municipality concerned.

(2) Any Municipal Council may, by bye-laws to that effect, determine the rates to be charged on the registration of such permits. Provided that such bye-laws shall be subject to the approval of the Governor in Council,

Land Registry Office not to register buildings without production of permit or certified copy of permit.

Permit required for the construction of streets.

The Governor may by notice in the *Cyprus Gazette* order a street to be constructed under the supervision of the Public Works Department at the cost of the holder of a permit.

The Governor may by notice in the *Cyprus Gazette* order any land set aside for use as a street to be constructed by or under the supervision of the Public Works Department at the cost of owners of adjacent plots or buildings.

7. No registration of a new building erected on land of the Arazi Mirié category within the boundaries of towns or villages shall be effected by the Land Registry Office unless the applicant produces a permit or a certified copy thereof of the Building Committee concerned for the erection of such new building. Provided that such Building Committee may for the purposes of this section grant at any time and in its discretion and under such terms and conditions as to such Building Committee seems necessary or desirable a permit for a building already erected.

8.—(1) No new street shall be laid out or constructed by any person or Municipality on land of the Arazi Mirié category without a permit to that effect first obtained from the Building Committee of the District or area in which the proposed new street is situated, and such Building Committee may require such person or Municipality to furnish plans, sections, drawings or descriptions of the intended street and may alter or modify any such plan, section or drawing as to the Building Committee seems necessary or desirable and any person or Municipality laying out or constructing any street without such permit shall be deemed to have acted in contravention of this Law.

(2) In the event of a permit being granted by the Building Committee as aforesaid, the Governor may by notice to this effect to be published in the *Cyprus Gazette* order that such street shall be constructed in accordance with the instructions of, and under the supervision of, the Public Works Department, and the cost of such construction shall be borne by the person or the Municipality to whom a permit has been granted.

(3) Where on account of the number of buildings erected on the frontage of any land of the Arazi Mirié category set aside with the approval of a Building Committee for use as a street or for other reasons of public utility, the Building Committee shall consider that such street should be properly constructed, such Building Committee shall forthwith forward a report in writing to this effect to the Colonial Secretary, and the Governor may by notice to be published in the *Cyprus Gazette* order that the land so set aside shall be constructed as a street by, or in accordance with the instructions of, or under the supervision of, the Public Works Department, and the cost of such construction shall be borne by the owners of plots or buildings adjacent to such street in proportion to the length of frontage of each plot or building to the length of the street.

(4) Where on account of the number of buildings erected on the frontage of any land of the Arazi Mirié category situated within a Municipal area and set aside with the approval of a Building Committee for use as a street or for other reasons of public utility, the Building Committee shall consider that such street should be properly constructed, such Building Committee shall forthwith forward a report in writing to this effect to the Colonial Secretary, and the Governor may by notice to be published in the *Cyprus Gazette* order that the land so set aside shall be constructed as a street by, or in accordance with the instructions of, or under the supervision of, the Municipality, and the cost of such construction shall be borne by the owners of plots or buildings adjacent to such street in proportion to the length of frontage of each plot or building to the length of the street.

The Governor may by notice in the *Cyprus Gazette* order any land situated within a Municipal area and set aside for use as a street to be constructed by or under the supervision of the Municipality at the cost of owners of adjacent plots or buildings.

(5) The Governor may, on the recommendation of a Building Committee, declare by notice to be published in the *Cyprus Gazette* any street to be a main through road and upon such a declaration being made as aforesaid such street shall come under the control of the Government of Cyprus and shall be constructed, maintained or repaired from the public funds of the Colony.

Power to Governor to declare a street as main through road.

(6) Any street within a Municipal area constructed under the provisions of this section shall be deemed to be a street constructed under the provisions of sections 23, 24 and 25 of the Municipal Councils Law, 1885, and shall come under the control of the Municipality. Provided that this sub-section shall not apply to any street which has been declared to be a main through road under the provisions of this Law.

Streets constructed under this section shall come under the control of the Municipality.

(7) Nothing in this section contained shall in any way restrict or be construed to restrict the generality of the powers conferred upon Municipalities by virtue of sections 27, 28 and 29 of the Municipal Councils Law, 1885, Part IV., in respect of streets on land other than on land of the Arazi Mirié category.

Saving of powers of Municipality.

9. No well shall be sunk or constructed on land of the Arazi Mirié category without first obtaining the permit of the Commissioner of the District in which such well is to be sunk or constructed.

Wells.

Power heretofore vested in Municipalities under Part V. of Law 8 of 1885 in respect of buildings on Arazi Mirié henceforth vested in duly constituted Building Committees. Powers reserved to Municipalities in respect of buildings on land other than Arazi Mirié.

Offences and penalties.

10. Any powers which may have vested in and may have been exercisable heretofore by Municipalities by virtue of Part V. of the Municipal Councils Law, 1885, in respect of buildings on land of the Arazi Mirié category shall from the date of the passing of this Law be vested in and exercisable by any Building Committee duly constituted under the provisions of this Law.

Provided that nothing in this Law contained shall in any way restrict or be construed to restrict the generality of the powers conferred upon Municipalities by the Municipal Councils Law, 1885, in respect of buildings on land other than on land of the Arazi Mirié category.

11.—(1) Any person who knowingly does any act in contravention of this Law or of any order or notice or regulations made under this Law or of any permit granted under this Law shall be guilty of an offence under this Law and on conviction thereof liable to a penalty not exceeding ten pounds.

~~Provided that this sub-section shall not apply to a contravention of the provisions of section 9 of this Law.~~

(2) Any person who obstructs any official or other person duly appointed under this Law, or by virtue of any regulations made under this Law, in the execution of any duty therein provided shall be guilty of an offence under this Law and on conviction thereof liable to a penalty of five pounds or to imprisonment for a term not exceeding one month.

(3)—(a) In addition to any other penalty prescribed by this Law, any building erected, reconstructed, added to, altered or repaired without a permit required by this Law, or erected, reconstructed, added to, altered or repaired in contravention of the terms of any permit or of any provision of this Law or of any regulations made under this Law, shall be ordered by the Court trying the offence to be pulled down or demolished or removed at the expense of the owner or occupier of such building, unless the consent in writing of the Building Committee of the District or

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area concerned in the erection, reconstruction, addition to, alteration or repair of such building, is granted. Provided that such Building Committee may in granting such consent in writing as aforesaid impose such terms and conditions as to the Building Committee seems necessary or desirable.

(b) ~~Any well sunk or constructed without a permit required by this Law, shall be ordered by the Court to be filled in or closed at the expense of the owner or occupier of such well, unless the consent in writing of the Commissioner of the District concerned in the sinking or construction of such well, is granted. Provided that such Commissioner may in granting such consent in writing as aforesaid impose such terms and conditions as to the Commissioner seems necessary or desirable.~~ *In addition to any other penalty prescribed by this Law*
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(c) In addition to any other penalty prescribed by this Law, any street laid out or constructed without a permit required by this Law, shall be ordered by the Court trying the offence to be closed at the expense of the person or Municipality who has laid out or constructed such street, unless the consent in writing of the Building Committee of the district or area concerned in the laying out or construction of such street, is granted. Provided that such Building Committee may in granting such consent in writing as aforesaid impose such terms and conditions as to the Building Committee seems necessary or desirable.

12.—(1) The Governor in Council may by order make regulations to be published in the *Cyprus Gazette* for carrying out the purposes of this Law.

Power to Governor in Council to make Regulations.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may—

(a) prescribe the form and manner in which application for building permits under this Law are to be made, and the terms under which such building permits are to be issued ;

(b) prescribe the payment of any fees which may be found necessary for the purposes of this Law ;

(c) provide for the means of supervision and control over buildings for which permits have been granted either generally, or in respect of buildings in any particular area ;

(d) prescribe by whom and in what manner costs incurred under sub-sections 3 and 4 of section 8 of this Law shall be collected or recovered ;

(e) regulate the sittings, practice and procedure of Building Committees.

Exemption.

13. This Law shall not apply to any buildings, streets or wells erected, constructed, laid out or sunk by, or for the account of, or on behalf of, the Government of Cyprus.

Repeal of Land Code, Art. 31.

14. The Ottoman Land Code, (7th Ramazan, 1274), article 31, is hereby repealed.

Date of coming into operation

15. This Law shall come into operation on a date to be fixed by notice by the Governor in the *Cyprus Gazette*.

This Law was published in the Cyprus Gazette No. 1883 of the 16th November, 1927.

No. 26 OF 1927.

A.D. 1927.
26 of 1927.

TO APPROPRIATE A SUM NOT EXCEEDING FIVE HUNDRED AND THIRTY-THREE THOUSAND FIVE HUNDRED AND FIVE POUNDS TO THE SERVICE OF THE TWELVE MONTHS ENDING THE THIRTY-FIRST DAY OF DECEMBER, IN THE YEAR OF OUR LORD ONE THOUSAND NINE HUNDRED AND TWENTY-EIGHT.

R. NICHOLSON.]

[December 12, 1927.

Preamble.

WHEREAS it is necessary to make provision for such expenses of the Government of Cyprus for the year ending the thirty-first day of December, 1928, as are not already lawfully provided for or shall not hereafter be provided for by any Law.

BE it therefore enacted :—

Short title.

1. This Law may be cited as the Appropriation Law, 1928.

Appropriation of £533,505

2. In addition to the sums already lawfully appropriated to the service of the King or which may be hereafter lawfully appropriated thereto, there shall be issued and applied to the service of the twelve months ending the thirty-first day of December, 1928, out of the revenue and other funds of the Colony, any sum not exceeding the sum of Five Hundred and Thirty-three Thousand Five Hundred and Five Pounds for defraying the charge of the Government of Cyprus for such period.