

(4) The provisions of Part VII of the Wills and Succession Law shall remain in force and apply in respect of the administration of estates where a grant has been made before the date of the coming into operation of this Law, and the estate has not been fully administered.

Cap. 220
5 of 1951.

SCHEDULE.
(Section 58).

Laws repealed.	Extent of repeal.
The Wills and Succession Law, Cap. 220 and Law 5 of 1951.	Parts V, VI and VII, and the Third Schedule.
The Infants' Estates Administration Law, Cap. 218 and Law 6 of 1951.	The whole Law.
The Civil Wrongs Law, Cap. 9 and Law 38 of 1953.	Section 15.

J. FLETCHER-COOKE,
Colonial Secretary.

24th August, 1954.

No. 44 OF 1954.

A LAW TO AMEND THE STREETS AND BUILDINGS REGULATION LAW. CAP. 165
10 of 1950.

R. P. ARMITAGE,]
Governor.

[24th August, 1954.

BE it enacted by His Excellency the Governor and Commander-in-Chief of the Colony of Cyprus as follows:—

1. This Law may be cited as the Streets and Buildings Regulation (Amendment) Law, 1954, and shall be read as one with the Streets and Buildings Regulation Law (hereinafter referred to as "the principal Law").

Short title.

Cap. 165
10 of 1950.

Amendment
of section 2
of the
principal
Law.

2. The definition of "alteration", "addition" or "repair" in section 2 of the principal Law is hereby amended as follows :—

- (a) by the insertion of the word "plastering" after the words and comma "colour-washing," in paragraph (d) (line 1);
- (b) by the deletion of paragraph (f) (as set out in paragraph (b) of section 2 of Law 10 of 1950).

Amendment
of section 3
of the prin-
cipal Law.

3. Section 3 of the principal Law is hereby amended as follows :—

- (a) by the substitution for paragraphs (b) and (c) of sub-section (1) of the following paragraphs and the relettering of paragraph (d) as paragraph (e) :—

"(b) erect, or suffer or allow to be erected a building or demolish or reconstruct or make any alteration, addition or repair to any existing building, or suffer or allow any such demolition or reconstruction or any such alteration, addition or repair to be made ;

(c) lay out or divide any land (irrespective of whether any buildings, other than buildings used solely for agriculture or forestry, exist thereon or not) into separate sites ;

(d) divide any building (irrespective of whether any such division necessitates any construction or not) into separate tenements ;"

- (b) by the substitution in the proviso to paragraph (a) of sub-section (2) for the word "person" (line 5) of the word "persons" ;

- (c) by the substitution for the second proviso to paragraph (b) of sub-section (2) of the following proviso :—

"Provided further that in any improvement area the Governor may appoint as an appropriate authority for such area the Board established for that area under the provisions of the Villages (Administration and Improvement) Laws, 1950 and 1953."

12 of 1950
18 of 1950
31 of 1953.

Repeal of
section 10
of the prin-
cipal Law
and substi-
tution of
a new sec-
tion.

4. Section 10 of the principal Law (as set out in section 6 of Law 10 of 1950) is hereby repealed and the following section substituted therefor :—

"Certificate
of approval.

10.—(1) No person shall occupy or use, or cause, permit, or suffer any other person to occupy or use, any building unless and until a certificate of approval has been issued in respect thereof by the appropriate authority.

(2) The holder of a permit shall, not later than twenty-one days from the completion of the work or matter in respect of which the permit has been granted under the provisions of section 3 of this Law, notify the appropriate authority of such completion and such authority, if satisfied that the work or matter has been duly completed in accordance with the permit, shall furnish the holder with a certificate of approval of the work or other matter in respect of which the permit has been granted :

Provided that the appropriate authority may, where it so thinks fit and is satisfied that all requirements of this Law and the Regulations in force for the time being are complied with, furnish the holder of the permit with a certificate of approval for part only of the work or matter.”.

5. Section 17 of the principal Law is hereby repealed and the following section substituted therefor :—

“Construction, reconstruction and improvement of streets.

17.—(1) For the purposes of this section—
‘owner’ means the person registered or entitled to be registered in the books of the Land Registry Office as the owner of immovable property affected by a notice published under sub-section (3) ;

‘proper construction, reconstruction and improvement of a street’ includes the widening or reconstruction of the foundations of a street, proper provision for surface water drainage, the construction of pavements, and the asphaltting or paving of both carriage ways and pavements but shall not include works of maintenance.

(2) Where an appropriate authority considers that a street should be properly constructed, reconstructed or improved, such authority may pass a resolution to this effect and prepare plans and specifications for such work :

Provided that where an appropriate authority is the municipal council of a municipal corporation or the Board of an improvement area or a board appointed by the Governor under the proviso to paragraph (a) of sub-section 2 of section 3 of this Law or under the first proviso to paragraph (b) of sub-section (2) of section 3 of this Law, such resolution shall be taken by majority of two-thirds of the members of such authority holding office.

Repeal of section 17 of the principal Law and substitution of new section.

(3) When a resolution has been taken and any plans and specifications have been prepared under sub-section (2), the appropriate authority shall deposit such plans and specifications in its office and shall cause a notice to be published in the *Gazette* and in one or more local newspapers to the effect that such resolution has been taken and such plans and specifications have been prepared and deposited in its office and that such plans and specifications are open to inspection by the public, at all reasonable times, for a period of two months from the publication of the notice in the *Gazette*.

Such notice shall also state—

- (a) the estimated cost of the work ;
- (b) any unexpended sum of money deposited with the appropriate authority under section 6 of this Law ;
- (c) the names of the owners who will contribute to the cost ;
- (d) the proportion in which their contribution shall be made ;
- (e) the number of years over which such owners may pay their contribution in equal annual instalments.

(4) Any owner of immovable property affected by any plans and specifications prepared and deposited in accordance with sub-section (3) may, within the period during which such plans and specifications are deposited for inspection, lodge an objection thereto in writing with the appropriate authority.

(5) After the expiration of the period during which the plans and specifications prepared and deposited for inspection under sub-section (3), the appropriate authority shall submit, through the Commissioner of the District, to the Governor-in-Council a copy of the resolution taken under sub-section (2) together with a copy of the plans and specifications prepared and deposited under sub-section (3) and of any objections submitted under sub-section (4) for his consideration.

(6) If the Governor-in-Council, after considering any objection made, approves the plans and specifications submitted and considers it expedient having regard to all the circumstances

that the appropriate authority should be permitted to construct, reconstruct or improve the street in question, the Governor-in-Council may approve such plans and specifications absolutely or subject to such modifications or conditions as he may deem fit and his decision shall be final and conclusive and no appeal or other proceedings shall lie therefrom to the Supreme Court or to any other Court.

(7) When the Governor-in-Council has granted his approval, notice thereof shall be published in the *Gazette* and the plans and specifications shall be binding on the appropriate authority and upon all owners affected.

(8) The cost of such construction, reconstruction or improvement, after the deduction of any unexpended sum of money deposited with the appropriate authority by a permit holder under the provisions of section 6 of this Law, shall be borne by the owners of immovable property abutting on such street, and such cost shall be apportioned amongst the owners affected according to the frontage of their respective immovable property which fronts or abuts the street in question :

Provided that the appropriate authority may reduce the amount of the cost to be apportioned amongst the owners affected by such percentage as the Governor-in-Council may approve :

Provided also that no such apportionment of cost shall be made in respect of any of the following immovable properties :—

- (a) places or buildings belonging to any religious community consecrated and used exclusively for public worship ;
- (b) cemeteries or burial grounds ;
- (c) land registered or recorded as common pasture grounds in the books of Land Registry ;
- (d) land or open spaces recorded or assigned *ab antiquo* for the common use of a community ;
- (e) immovable property belonging to Her Majesty or to the Government ;

Cap. 203
 22 of 1950
 17 of 1952
 28 of 1953
 12 of 1954.
 Cap. 205
 5 of 1950
 18 of 1952
 20 of 1954.

(f) any immovable property held and registered in the books of the Land Registry in trust for elementary schools of any religious community under the Elementary Education Law and for secondary schools under the Secondary Education Law, or any other Law amending or substituted for the same.

(9) When the work of construction, reconstruction or improvement has been completed, an exact statement of the cost shall be published in the *Gazette* together with a final apportionment of the cost between the owners affected or between the appropriate authority and the owners affected, as the case may be. The proportion in such cost and the annual instalment on such proportion due by such owners shall be registered in the books of the Land Registry Office and shall be deemed to be a charge on the immovable property concerned and a tax due by such owners and shall be collected from each such owner in the manner prescribed in the Tax Collection Law, and thereafter no such owner shall sell, transfer, alienate or dispose of any of his immovable property so affected, unless prior to such sale, transfer, alienation or disposal, he produces to the Land Registry Office a receipt from the Tax Collector of payment of all outstanding amounts due by him on such affected immovable property.

Cap. 303.

Amendment
 of section
 18 of the
 principal
 Law.

6. Section 18 of the principal Law is hereby amended by the deletion therefrom of sub-section (4) and the renumbering of sub-section (5) as sub-section (4).

Amendment
 of section 20
 of the prin-
 cipal Law.

7. Paragraph (a) of sub-section (1) of section 20 of the principal Law is hereby amended by the substitution for the word and figure "section 3" (line 1) of the words and figures "section 3 or 10".

24th August, 1954.

J. FLETCHER-COOKE,
 Colonial Secretary.