



**SUPPLEMENT No. 2**

TO

**THE CYPRUS GAZETTE No. 3782 OF 23RD SEPTEMBER, 1954.**

**LEGISLATION.**

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**THE STATUTE LAWS OF CYPRUS**

**No. 48 OF 1954.**

**A LAW TO MAKE PROVISION FOR THE PROHIBITION OF ERECTION OF DWELLING HOUSES ON CERTAIN SITES WITHIN THE EARTHQUAKE AFFECTED AREAS OF CERTAIN VILLAGES IN PAPHOS AND LIMASSOL DISTRICTS.**

**R. P. ARMITAGE,]**

*[22nd September, 1954.*

*Governor.*

**WHEREAS** for purposes of reconstruction and of housing persons rendered homeless by earthquake in certain villages of the Paphos and Limassol Districts a free grant of certain sites and framework houses was made by Government to such persons;

And whereas public interest requires that provision should be made prohibiting building or re-building on the old sites on which the destroyed or damaged buildings of such persons were standing:—

BE it, therefore, 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 Building (Paphos Earth-quake) Prohibition Law, 1954. Short title.

Interpretation.

2. In this Law, unless the context otherwise requires—

“building” includes any roofed structure or erection of whatever material and any part of a building so defined;

“Director” means the Director of Lands and Surveys and includes any officer nominated by the Director for the purposes of this Law;

“dwelling house” means a building intended to be used or so adapted as to be used or to be capable of being used for human habitation, or in respect of which there is a reasonable presumption that some person has his lodging therein;

“erection” and “erect”, respectively, in relation to a building include alteration, addition, repair or re-erection;

“grantee” means a person rendered homeless by the Paphos earthquake or whose dwelling house was damaged thereby to whom a free grant of a site and a framework house has been made and includes his personal representatives and successors in title;

“old site” means the plot of land on which a dwelling house of a grantee was standing on the date of the Paphos earthquake which was destroyed or damaged by such earthquake;

“Paphos earthquake” means the earthquake which occurred in the Districts of Paphos and Limassol on the 10th day of September, 1953;

“resited village” means the following villages within the District of Paphos, that is to say, Axylou, Eledhiou, Kithasi, Lapithiou, Phasoula and Stroumbi;

“value” has the same meaning as in section 2 of the Immovable Property (Tenure, Registration and Valuation) Law;

“village” means any village within the districts of Paphos and Limassol inhabitants of which were rendered homeless by the Paphos earthquake or where buildings were damaged or where churches, mosques, schools and other public buildings were destroyed or damaged by such earthquake.

3.—(1) Within three months from the date of the coming into operation of this Law the Director shall—

(a) cause to be specified and marked on the survey plan of every village the built up area of that village as on the date of the Paphos earthquake (in this Law referred to as “the prohibited area”);

(b) cause to be specified and marked on such survey plans the old sites within the prohibited area of every village;

Cap. 231.  
8 of 1953.  
4 of 1954.

Old sites, etc., to be marked on survey plan and records of assessments to be prepared.

- (c) cause the value, as on the 10th day of September, 1953, of the old sites within the prohibited area of a village, other than a resited village, and the value, as on the same date, of any new site granted to a grantee within the area of any village, other than a resited village, to be assessed and a record of such assessments to be kept;
- (d) sign and deposit such survey plans and record of assessments in the offices of the Commissioner and the Land Registry at Paphos and Limassol; and
- (e) cause a notice of such deposit to be published in the *Gazette*.

(2) Any survey plan and any record of assessment prepared and deposited in accordance with the provisions of sub-section (1) may be inspected during office hours by any person interested and any such person may, on payment of the prescribed fee, obtain a copy of any such survey plan duly certified by the Director.

(3) Any person aggrieved by an assessment made under paragraph (c) of sub-section (1) may, within thirty days of the publication in the *Gazette* (under paragraph (e) of the same sub-section) of the notice therein specified, appeal to the Court, and the Court may, subject to any Rules of Court in force for the time being, make such order as may be just.

Any such order of the Court shall be final and shall be delivered to the Director, who shall cause such amendments, if any, to be made in the record of assessment as may be necessary.

For the purposes of this sub-section "Court" means a member of the District Court of the district within which the property is situated.

(4) A copy of any such survey plan or any record of assessment or any part thereof duly certified by the Director as a true copy shall in all proceedings be admissible in evidence in proof of the contents thereof.

4.—(1) No grantee shall, on an old site within a prohibited area of any village, erect any dwelling house or use or allow or suffer any building thereon to be used as a dwelling house:

Prohibition of erection of dwelling houses on old sites.

Provided that any grantee of any site within a village, other than a resited village, may, within five years from the date of the coming into operation of this Law, erect on an old site within the prohibited area of any such village any dwelling house after obtaining the required permit therefor

and paying over to the Commissioner of the District the value (as assessed under section 3) of the old site or the site granted to him, whichever is the less :

Provided further that nothing in this section contained shall prevent or restrict the use of the old site for any purposes other than erecting thereon a dwelling house or using any building thereon as such.

(2) Any person who acts in contravention of sub-section (1) shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding fifty pounds or to both such imprisonment and fine and the Court trying the offence shall order that the dwelling house in respect of which the offence has been committed shall be pulled down or removed within such time as may be specified in the order.

J. FLETCHER-COOKE,  
*Colonial Secretary.*

22nd September, 1954.