

CAP. 59.

CYPRUS

FORESHORE PROTECTION

CHAPTER 59 OF THE LAWS

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1959

CHAPTER 59.

FORESHORE PROTECTION.

ARRANGEMENT OF SECTIONS.

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A LAW TO MAKE PROVISION FOR THE BETTER PROTECTION OF
THE FORESHORE.

1949 Cap. 92.
16 of 54.
21 of 57.

[7th December, 1934.]

Short title.

1. This Law may be cited as the Foreshore Protection Law.

Interpretation.

2. In this Law—

“ Commissioner ” means the Commissioner of the District in which the foreshore to which a notice under section 3 relates is situate ;

“ foreshore ” includes any land within a distance from high water mark not exceeding fifty yards as the Commissioner may by a notice under section 3 prescribe.

Power to Commissioner to prohibit interference with foreshore, etc.

3. (1) The Commissioner may, from time to time, by notice to be published in the Gazette, prohibit absolutely or impose restrictions or conditions upon—

(a) the removal of stones, shingle, gravel, sand or other substance from the part of the foreshore specified in such notice ;

(b) the dumping of any rubble, rubbish, sweepings, litter, night-soil or other refuse,

(i) on that part of the foreshore specified in such notice,

(ii) into the sea within such distance from low watermark as may be specified in such notice,

(iii) from any pier, wharf, quay or jetty.

(2) The provisions of this section shall apply notwithstanding that the part of the foreshore specified in the notice is privately owned.

(3) Any person who after the publication of a notice under subsection (1) of this section contravenes the terms of the same shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine and the Court before which he is convicted may, in addition to such penalty order such person—

- (a) to pay to public revenue the value of any stones, shingle, gravel, sand or other substance in respect of which the offence has been committed ;
- (b) to remove at his expense any rubble, rubbish, sweepings, litter, night-soil or other refuse dumped in contravention of the notice.

(4) Upon a second conviction of any person for an offence against this Law involving the removal of any stones, shingle, gravel, sand or other substance from the foreshore, any vehicle, vessel or other receptacle used in or for such removal shall be forfeited to the Crown.

(5) The Commissioner may appoint watchmen for the protection of the foreshore.

4. (1) Any police officer or any watchman appointed by the Commissioner under section 3 may upon reasonable suspicion stop and search any means of conveyance for the purposes of ascertaining whether an offence under subsection (3) of section 3 of this Law has been committed and may seize any such means of conveyance with any material found therein.

Power to police officers to stop, search, seize and detain any conveyance.
3 of 16/54.
3 (a) of 21/57.

(2) Any such means of conveyance and materials seized under subsection (1) of this section shall be detained at the nearest police station for a period not exceeding forty-eight hours unless in the meantime the Commissioner or, in case of criminal proceedings being taken, the Court, before which such proceedings are instituted, otherwise directs.

(3) Any person in charge of any means of conveyance who refuses to stop or allow a search or seizure when required by a police officer or watchman under subsection (1) of this section, shall be guilty of an offence and shall be

liable to imprisonment not exceeding three months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

Restriction upon structures, etc., on foreshore.
4 of 16/57.

5. (1) No person shall erect on the foreshore any hut, booth or any other structure or shall place on the foreshore or allow thereon any boat without a permit from the Commissioner first obtained and no owner or keeper of a coffee-house or restaurant shall place on the foreshore any chairs or tables without a permit from the Commissioner first obtained.

(2) Any person who acts in contravention of any of the provisions of subsection (1) of this section shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine and the Court before which such person is convicted may in addition to any such penalty order the removal at the expense of such person of any hut, booth or other structure erected or any boat placed or allowed on any part of the foreshore in contravention of the said subsection.

Drains to be covered and extended to sea.

6. (1) The Commissioner may by notice under his hand require any person or Municipal Council to cover, within such time as may be specified in the notice, any drain which crosses the foreshore, and to extend such drain into the sea by means of pipes to such distance as the Commissioner may direct.

(2) Upon the receipt of such notice as in subsection (1) hereof provided, such person or Municipal Council shall take all necessary steps to comply with the requirements of the Commissioner and if such person or Council shall fail or neglect to comply with such requirements the Commissioner may proceed to execute the necessary works and the cost of so doing shall be payable by such person or by such Municipal Council.

Grant of permits to remove materials from the foreshore.
4 of 21/57.

7. (1) Notwithstanding the provisions of section 3 the Commissioner may, in his discretion, grant to any person a permit to remove stones, shingle, sand, gravel or other substance from any part of the foreshore which has been made the subject of a notice under paragraph (a) of subsection (1) of section 3, or any portion thereof, whether public or privately owned, but subject to the consent of the owner in the case of any part of the foreshore privately

owned, and may levy such fees or charges payable to the public revenue as may be prescribed in respect of any permit or the rights thereby conferred.

(2) The Governor may by Order prescribe the form of any such permit and the restrictions and conditions applicable thereto, and may prescribe the fees and charges to be levied under subsection (1) of this section and the manner of assessment thereof, either in respect of the Colony as a whole or such area or areas thereof as may be specified in the Order.

8. Nothing in this Law contained shall be deemed to prejudice any right, interest or prerogative in the foreshore otherwise vested in Her Majesty or in the Governor on behalf of Her Majesty.

Prerogative
of the Crown
preserved.

