

No. 10 OF 1938.

A LAW TO AMEND THE CONSTRUCTION OF BUILDINGS,
STREETS AND WELLS ON ARAZI MIRIÉ LAW, 1927.H. R. PALMER,]
Governor.

[21st April, 1938.

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

Short title.

1. This Law may be cited as the Construction of Buildings, Streets and Wells on Arazi Mirié (Amendment) Law, 1938, and shall be read as one with the Construction of Buildings, Streets and Wells on Arazi Mirié Law, 1927, the Construction of Buildings, Streets and Wells on Arazi Mirié (Amendment) Law, 1932, and the Construction of Buildings, Streets and Wells on Arazi Mirié (Amendment, No. 2) Law, 1932, (hereinafter together called "the Principal Law"), and the Principal Law and this Law may together be cited as the Construction of Buildings, Streets and Wells on Arazi Mirié Laws, 1927 to 1938.

25 of 1927

8 of 1932

50 of 1932

Amendment
of section 2
of the
Principal
Law.

2. Section 2 of the Principal Law is hereby amended as follows :—

(a) By the insertion in the definition of "Building" of the words "hut, cabin" immediately after the word "office".

(b) By the insertion of the following definitions immediately after the definition of "Building Committee" :—

" 'District Medical Officer' means the person who is for the time being lawfully discharging the duties of the Government District Medical Officer in the District in which a Building Committee exercises control under the provisions of this Law.

'Divisional Engineer of the District' means the person who is for the time being lawfully discharging the duties of the Government Divisional Engineer in the District in which a Building Committee exercises control under the provisions of this Law."

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

Amendment of section 3 of the Principal Law.

(a) By the insertion in paragraph (b) thereof of the words "District Medical Officer" immediately after the words "Municipal Council".

(b) By the deletion of paragraph (c) thereof and by the substitution therefor of the following paragraph:—

"(c) for any District or Municipal area in any District, other than the Municipal areas of the towns mentioned in paragraph (b) the Building Committee shall be constituted of the Commissioner of such District and the District Medical Officer: provided that the Governor may by Order to be published in the Gazette direct that the Building Committee for any Municipal area as aforesaid shall be constituted as in paragraph (b)."

4. Section 4 of the Principal Law is hereby amended by the insertion in paragraph (2) of the proviso thereto of the words "where such replacing does not involve the demolition and reconstruction of the roof covering as a whole" immediately after the word "watertight".

Amendment of section 4 of the Principal Law.

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

Repeal of section 5 of the Principal Law and substitution of new section.

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

5.—(1) Before granting a permit under section 4, the Building Committee may require the production—

(a) of plans, sections, drawings and specifications of the building, and

(b) of ground plans showing the position of the building with respect to the plot upon which it is to be erected and the access to such plot from an existing street.

(2) The Building Committee may—

(a) with the object of securing proper conditions of health and safety in connection with the building to which such plans, sections, drawings or specifications relate, or

(b) with a view to preserving the uniform or proper character and style of buildings erected or to be erected in the area in which the plot is situated, or

(c) with the general object of securing proper conditions of health, sanitation, safety, communication, amenity and convenience in connection with the use of such area,

require the alteration or modification of any such plans, sections, drawings or specifications in such manner as the Building Committee deems necessary or desirable.”

Amendment of section 6(2) of the Principal Law.

6. Section 6 (2) of the Principal Law is hereby amended by the deletion of the words “Governor in Council” and by the substitution therefor of the word “Governor”.

Insertion of new sections 8A and 8B in the Principal Law.

7. The following sections shall be inserted in the Principal Law immediately after section 8 thereof:—

“Permit required for division or subdivision of land for building purposes.

8A.—(1) No person shall divide or subdivide any land of the Arazi Mirié category into plots for building purposes without a permit to that effect first obtained from the Building Committee of the District or area in which the land is situated.

(2) No division or subdivision of land made by virtue of a permit obtained under sub-section (1) shall be valid and effective unless and until it has been approved by the Building Committee and a certificate signifying such approval has been issued under the hand of the Chairman thereof.

(3) No registration in respect of any land divided or subdivided under the provisions of sub-section (1) shall be effected by the Land Registry Office unless and until the applicant therefor produces a certificate in respect of such land issued under sub-section (2).

Power to Building Committee to declare areas for certain purposes.

8B.—(1) The Building Committee may with the approval of the Governor by notice to be published in the *Gazette* declare any lands of the Arazi Mirié category to be—

(a) an area in which buildings to be used for the carrying on of any trade or industry shall not be erected;

(b) an area in which buildings to be used for the carrying on of any trade or industry specified in such notice shall not be erected;

(c) an area in which residential buildings of a lesser value than that specified in such notice shall not be erected.

(2) Notwithstanding anything in this Law contained, from and after the publication of a notice under sub-section (1) and for so long as such notice remains in force, no Building Committee shall issue a permit in respect of a building the erection of which within the area specified in such notice is thereby prohibited."

8. Section 9 of the Principal Law is hereby repealed and the following section substituted therefor:—

"Permit required for sinking or construction of wells.

9.—(1) No well shall be sunk or constructed in or upon any land of the Arazi Mirié category without a permit to that effect first obtained from the Commissioner of the District in which such well is to be sunk or constructed.

Repeal of section 9 of the Principal Law and substitution of new section.

(2) In granting a permit under sub-section (1), the Commissioner may impose such terms and conditions as to him seems necessary or desirable."

9. Section 11 (3) of the Principal Law is hereby amended as follows:—

(a) By the insertion in paragraph (b) thereof of the words "or in contravention of any of the terms or conditions of a permit granted under this Law" immediately after the words "required by this Law".

(b) By the insertion in paragraph (c) thereof of the words "or in contravention of any of the terms or conditions of a permit granted under this Law" immediately after the words "required by this Law".

Amendment of section 11 (3) of the Principal Law.

10. Section 12 of the Principal Law is hereby amended by the deletion of paragraph (a) of sub-section (2) thereof and by the substitution therefor of the following paragraph:—

"(a) prescribe either generally or in respect of any particular area—

(i) the form and manner in which applications for any permits under this Law are to be made and the terms and conditions under which permits relating to buildings and streets and to division or subdivision of land for building purposes may be issued;

Amendment of section 12 of the Principal Law.

- (ii) in the case of a permit relating to a building such terms and conditions may include provision in respect of the purpose for which such building may be used and for a certificate of occupancy to be obtained from the Building Committee by the holder of the permit before the building to which the permit relates is occupied, and the form of such certificate for occupancy; and
- (iii) in the case of a permit relating to the division or subdivision of land for building purposes such terms and conditions may include provision for the laying out and construction of streets on the land to be divided or subdivided for building purposes at the cost of the person to whom the permit is granted;”

No. 11 OF 1938.

A LAW TO AMEND AND CONSOLIDATE THE IRRIGATION LAWS, 1931 AND 1934.

H. R. PALMER,]
Governor.

[21st April, 1938.

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

Short title.

1. This Law may be cited as the Irrigation Divisions (Villages) Law, 1938.

Interpre-
tation.

2. In this Law—

“Commissioner” means the Commissioner of the district within which the irrigation division has been formed;

“committee” means a committee formed under the provisions of this Law to act in the irrigation division for which it has been so formed;

“irrigation division” means an irrigation division formed by the proprietors in a village or quarter of a village or group of villages under the provisions of this Law, operating within such village or quarter or group of villages;

“irrigation works” include all wells, bores, reservoirs, dams, weirs, tanks, cisterns, tunnels, filter beds, conduits, aqueducts, mains, pipes, fountains, sluices, valves, pumps, channels, engines and all other structures or appliances used or constructed under the provisions of this Law for the storage, conveyance, supply, distribution, measurement or regulation of water;