



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3143 OF 5TH OCTOBER, 1944.
LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 30 OF 1944.

**A. LAW TO AMEND THE INCREASE OF RENT (RESTRICTION)
LAWS, 1942 AND 1943.**

H. M. FOOT,]

[4th October, 1944.

Officer Administering the Government.

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

1. This Law may be cited as the Increase of Rent (Restriction) (Amendment) Law, 1944, and shall be read as one with the Increase of Rent (Restriction) Laws, 1942 and 1943, (hereinafter referred to as "the principal Law"), and the principal Law and this Law may together be cited as the Increase of Rent (Restriction) Laws, 1942 to 1944.

Short title.

16 of 1942

7 of 1943

Amendment
of section 5
of the prin-
cipal Law.

2. Section 5 of the principal Law is hereby amended as follows:—

(a) by the repeal of sub-section (1) thereof and the substitution therefor of the following sub-section:—

“(1) Subject to sub-section (1A) of this section, from and after the first day of March, 1941, it shall be unlawful for any landlord to—

(a) have received, receive or recover the increased rent of any premises to which this Law applies, where the rent has been increased since the first day of March, 1941; or

(b) increase the rent of any premises to which this Law applies,

without an order of the Board:

Provided that the Board shall in no case allow an increase in rent of more than ten per centum.”

(b) by the insertion therein immediately after sub-section (1) of the following sub-section:—

“(1A) An increase of rent shall not be deemed to be an increase for the purposes of this Law in each one of the following cases, that is to say:—

(a) an increase of rent by an amount calculated at a rate per annum not exceeding eight per centum on any amount expended by the landlord since the first day of March, 1941, in connection with any improvement or structural alteration of the premises (not including expenditure on decoration or repairs);

(b) an increase of the yearly rent by an amount not exceeding—

(i) any increase in the yearly amount of the immovable property tax and of any rates payable by the landlord in respect of the premises since the 13th day of March, 1944, over the corresponding yearly amount payable in respect of such premises on the 13th day of March, 1941;

(ii) the yearly amount of any tax or rate imposed in respect of the premises since the 13th day of March, 1944:

Provided that, where the rent is not payable yearly, any such increase shall be proportionate to the period in respect of which such rent is payable.

- (c) an increase of rent by an amount not exceeding ten per centum, if the tenant agrees with the landlord in writing to such increase.”
- (c) by the insertion in paragraph (c) of sub-section (4) thereof of a comma immediately after the words “such rent as” (line 5);
- (d) by the deletion of the proviso to sub-section (4) thereof and the substitution therefor of the following proviso:—

“Provided that the rent which may be fixed by the Board in respect of any premises under the provisions of paragraphs (b) and (c) of this sub-section shall be the rent at which such premises might, in the opinion of the Board, reasonably be expected to have been let for on the twenty-eighth day of February, 1941, plus any increase which this Board may deem it just to allow under the provisions of the proviso to sub-section (1) of section 5 of the Law and any increase which is permitted to be made under the provisions of sub-section (1A) of section 5 of this Law.”

3. The principal Law is hereby amended by the insertion therein immediately after section 6 of the following section:—

Insertion of new section 6A in the principal Law.

“Special powers of Board in subtenancies.

6A.—(1) Notwithstanding anything in this Law contained a landlord or any subtenant may apply to the Board for an enquiry into the terms and conditions of any subtenancy of the premises granted by the tenant after the first day of March, 1941.

(2) Upon an application under sub-section (1) of this section, the Board may enquire into the terms and conditions of the subtenancy with a view to ascertaining whether having regard to the rent paid by the tenant to the landlord any rent payable to, or charged by, the tenant for any subtenancy is unreasonable or whether the tenant, by taking in lodgers or by sub-letting or otherwise parting with the possession of the whole or any part of the premises, is making a profit, whether directly or indirectly, which, having regard to the rent paid by the tenant, is unreasonable.

(3) On an enquiry under sub-section (2) of this section the Board may make an order—

- (a) limiting the number of subtenants in the premises;

(b) fixing the maximum rent payable by each subtenant and the maximum charge, if any, which the tenant may make in addition to the rent for any service rendered to the subtenant;

(c) fixing the maximum profit, which the tenant may make, whether directly or indirectly, by the subtenancy.

(4) Any person who fails to comply with an order made by the Board under this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding one hundred pounds or to imprisonment not exceeding six months or to both such fine and imprisonment, without prejudice to any other remedy for the enforcement of the order.

(5) The powers of the Board under this section shall be in addition to and not in derogation of any other powers of the Board exercised under this Law and any order made under this section shall have the same effect and be executed in the same manner as any other order made by the Board under this Law."

Amendment
of section
7 (1) of the
principal
Law.

4. Sub-section (1) of section 7 of the principal Law is hereby amended as follows:—

(a) by the insertion in paragraph (b) thereof immediately after the words "available for the" (line 5) of the words "landlord and the";

(b) by the insertion therein of the following paragraph immediately after paragraph (b):—

"(ba) on the ground that the tenant, by taking in lodgers or by sub-letting or otherwise parting with the possession of the whole or any part of the premises, is making a profit, whether directly or indirectly, which, having regard to the rent paid by the tenant, is unreasonable and the Court considers it reasonable to give such judgment or make such order:

Provided that—

(i) no judgment or order shall be given or made under this paragraph if the landlord or any subtenant has applied to the Board under section 6A of this Law and

the Board has made an order in respect of the premises which are the subject of the proceedings before the Court ;

- (ii) the Court may direct that any judgment or order given or made under this paragraph shall not affect any subtenancy lawfully subsisting before the proceedings for ejection were instituted ; or”

5. The principal Law is hereby amended by the insertion therein immediately after section 11 of the following section :—

“Enforcing orders of the Board.

11A. An order of the Board or a copy thereof certified to be a true copy by the President or the Chairman of the Board shall, upon being filed with the Registrar of the District Court of the District within which the premises affected by the order are situate, be executed and obedience thereto enforced as if it were an order of the Court.”

Insertion of new section 11A in the principal Law.

H. G. RICHARDS,

Acting Colonial Secretary.

4th October, 1944.