

CYPRUS

**DEPARTMENT OF LANDS AND
SURVEYS (FEES AND CHARGES)**

CHAPTER 219 OF THE LAWS

1959 EDITION

PRINTED BY

C. F. ROWORTH LIMITED, 54, GRAFTON WAY, LONDON, W.1.

*[Appointed by the Government of Cyprus the Government Printers of this Edition
of Laws within the meaning of the Evidence (Colonial Statutes) Act, 1907.]*

1959

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CHAPTER 219.

DEPARTMENT OF LANDS AND SURVEYS
(FEES AND CHARGES).

ARRANGEMENT OF SECTIONS.

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A LAW TO AMEND AND CONSOLIDATE THE PROVISIONS
RELATING TO FEES AND CHARGES LEVIED AND TAKEN
IN THE DEPARTMENT OF LANDS AND SURVEYS.

[17th February, 1954.]

10 of 54.

Short title. 1. This Law may be cited as the Department of Lands and Surveys (Fees and Charges) Law.

Interpreta-
tion. 2. In this Law, unless the context otherwise requires—
“Director” means the Director of Lands and Surveys and includes any officer appointed by him for any of the purposes of this Law.

Fees and
charges in
the Schedule
to be levied
and taken.
Schedule. 3. The several fees and charges set out in the Schedule shall be levied and taken in respect of the several matters therein set out in such manner as may be directed from time to time by the Director, and the same shall, when levied and taken form part of the revenue of the Colony:
Provided that the Governor in Council may by Order published in the Gazette—

(a) delete or reduce any such fee or charge, or increase the same by an amount not exceeding one-half thereof;

- (b) exempt from the payment of any such fee or charge the government of any foreign power with which Her Majesty's Government in the United Kingdom has made arrangements for reciprocal exemption from such fees or charges:

Provided further that the Director may, at his discretion, waive or reduce any such fee or charge in respect of any matter relating to a case promoting or tending to promote the consolidation of immovable property or of separate interests in immovable property or the elimination of dual ownership of immovable property.

4. (1) Before performing any service for which a fee or charge is leviable under the provisions of this Law, the Director may require any person who applies for such service to deposit at the District Lands Office such sum as shall, in the opinion of the Director, be sufficient to cover the fee or charge that may be required for the performance thereof.

Power to
require
deposit
of fees.

(2) When a sum has been deposited for the performance of any service, as in subsection (1) provided—

- (a) upon performance of such service, any part of the sum so deposited in excess of the fee or charge leviable for such service under the provisions of this Law shall, if not less than one hundred and fifty mils, be refunded;
- (b) any balance of the fee or charge leviable for such service under the provisions of this Law which remains unpaid shall, if less than one hundred and fifty mils, be waived ;
- (c) subject to the provisions of paragraph (a) of this subsection where the person who applies for such service withdraws his application or the Director is unable to perform such service, there may be refunded the whole or such part of the sum so deposited as the Director may, at his discretion, determine having regard to the time spent in preparatory work relating to that service.

5. Subject to the provisions of subsection (2) of section 4, where any service in a matter relating to immovable property has been performed by the Director on the application or at the request of the owner of such immovable property or of the person entitled to be registered as the owner thereof, any balance of the fee or charge leviable for

Fees and
charges to be
a charge on
immovable
property.

such service under the provisions of this Law which remains unpaid shall be a charge on such immovable property and shall have priority over all other charges and incumbrances whatsoever, whether accruing before or after such service has been performed, and no transfer or mortgage of such property shall be registered except upon payment of such balance; and where the property is to be sold for the satisfaction of any other charge or incumbrance, the sale shall be subject to a reserve price which shall not be less than the balance hereinbefore mentioned.

No fee for transactions with the Government.

6. Notwithstanding anything in this Law contained, no fee or charge shall be levied or taken in respect of any transaction to which the Government is a party.

No fee or annual charge upon registration of immovable property acquired by inheritance.

7. No fee or annual charge shall be levied or taken upon the registration of a title to immovable property acquired by inheritance.

SCHEDULE.

(Section 3.)

TABLE OF FEES AND CHARGES TO BE LEVIED AND TAKEN IN THE LANDS AND SURVEYS DEPARTMENT, IN MATTERS RELATING TO IMMOVABLE PROPERTY.

1. Local Enquiries—

- | | | |
|---|--------|-----------|
| (i) for each application | | 500 mils. |
| (ii) plus, for each parcel of property involved | | 50 mils. |
- (iii) plus, for survey work done, such fee as the Governor may, by a notice in the Gazette, from time to time approve, having regard to the time spent, salaries, allowances and any incidental expenses incurred:

Provided that—

- (a) no fee shall be levied for survey work done for correcting or adding to the plan of an existing registration unit;
- (b) no fee other than the fee for survey work shall be levied for the demarcation of the boundaries of a registered property or for special surveys unconnected with Land Registration;
- (c) an additional fee of 150 mils. shall be levied for each parcel of property involved in an application for partition by the Director of immovable property held in undivided shares;
- (d) the Director may, at his discretion, allow a refund of any fee paid for a local enquiry for transferring or writing off an assessment, if it is established that the property to which the assessment relates either belonged to a person other than the person assessed at the time the assessment was made or that it does not exist at the date of the local enquiry;
- (e) where, at the Director's discretion, an enquiry is treated as an accelerated one, the Director may increase the fee by an

amount not exceeding one-half thereof, and, in addition, levy such extra charge as he may determine having regard to salaries, allowances, travelling and other incidental expenses and the priority given.

2. Registration of title (payable by the person to be registered)—

(a) by undisputed adverse or *ab antiquo* possession, reckoned on the value of the property ... 4 per cent.

(b) by transfer—

(i) upon exchange, reckoned on the value of immovable property taken by each party ... 2 per cent.

(ii) upon gift or sale by parent to child, reckoned on the value of the property ... 2 per cent.

(iii) upon gift other than by parent to child, reckoned on the value of the property ... 4 per cent.

(iv) upon sale other than by parent to child, reckoned on the sale price... 4 per cent.

Provided that the fee so chargeable shall not be less than 4 per cent. of the value.

(c) by purchase at auction, reckoned on the sale price ... 4 per cent.

(d) by compulsory acquisition, reckoned on the compensation paid ... 4 per cent.

3. Mortgages—

on registration, on the amount advanced, payable by the mortgagor ... 1 per cent.

Provided that where an existing mortgage is cancelled and on the same day a new mortgage is declared, the parties to the declaration and either the properties mortgaged or the amount advanced being the same, the fee shall be either—

(a) 1 per cent. on the amount advanced under the new mortgage; or

(b) £1 plus 1 per cent. on the amount, if any, by which the amount advanced under the new mortgage exceeds the amount advanced under the previous mortgage,

whichever is less.

4. Transmission fees (payable by the transferee or the mortgagor)—
per declaration of transfer or mortgage made in one district for transmission to another district ... 50 mils.

5. Sales by auction—

(a) for acceptance of documents authorising sale... 250 mils.

(b) for acceptance of documents applying for sale... 400 mils.

(c) for preparing notices of sale—

(i) where the value of property to be sold does not exceed £100 ... 300 mils.

(ii) for every additional £100 or part thereof ... 150 mils.

Provided that the total fee shall not exceed £2.

(d) for distribution of proceeds of sale of indivisible property held in undivided shares ... 250 mils.

(e) for making a final account ... 150 mils.

(f) for issuing a copy of the final account... 50 mils.

6. Charges—
 for acceptance of documents attaching or purporting to attach or charge immovable property and for noting the attachment or charge in the books ... 150 mils.
7. Record of rights, easements, etc.—
 for recording the grant or existence of any right, privilege, liberty, easement or other advantage in the Land Register and in the certificate or certificates of registration of the properties involved ... 100 mils.
8. Searches—
- (a) for the registered properties of a named owner or co-owners—
 (i) per village or quarter, for each certificate of search or copy thereof ... 300 mils.
 (ii) plus, where the boundaries of the properties are required to be given, such extra charge as the Governor may, by a notice in the Gazette, from time to time approve, having regard to the time spent in supplying the information, salaries allowances;
- (b) for the registered properties standing on the land of a named person but belonging to a person other than the person named—
 per plot of land ... 300 mils.
- (c) for the registered land on which properties belonging to a named person stand but which does not belong to the person named—
 per plot of land ... 200 mils.
- (d) for particulars of previous registrations of a specific registered property ... 200 mils.
- (e) for particulars of subsequent transfers of a specific registered property ... 200 mils.
- (f) for the name of the registered owner or co-owners of a specific registered property—
 per property ... 200 mils.
- (g) for the registration number, given sufficient particulars to identify the registration—
 per registered property ... 50 mils.
- (h) for the assessed properties of a named person—
 per village or quarter, for each certificate of search or copy thereof... 100 mils.
- (i) for any other information not specified above such fee as the Governor may, by a notice in the Gazette, from time to time approve, having regard to the time spent, salaries and allowances.
9. Certificates of Indivisibility—
 per property involved ... 100 mils.
10. Certificates of Registration—
 of title, mortgage or charge ... 100 mils.

11. Leases under the Public Lands (Leases) Law— Cap. 230.
- (a) for registration, including the issue of one true copy of the lease, per donum or part thereof 500 mils.
- (b) for every subsequent copy of the lease—
- (i) on the first 200 words 250 mils.
- (ii) for every further 100 words or part thereof ... 50 mils.
12. Copies—
- (a) of maps and plans—
- a charge determined by the Director according to size and scale, with a minimum charge of... .. 100 mils.
- (b) of other documents—
- (i) for preparing and certifying a copy, per 200 words or less 50 mils.
- (ii) for certifying a copy made outside the Department, per 300 words or less 50 mils.
13. Evidence before any Court, Tribunal, Board or person empowered to summon witnesses—
- such fee as the Governor may, by a notice in the Gazette, from time to time approve, having regard to the time spent in preparing for and giving the evidence, salaries, allowances and travelling expenses incurred.
14. Any service not otherwise specified—
- such fee as the Governor may, by a notice in the Gazette, from time to time approve, having regard to the time spent in preparing for and giving the evidence, salaries, allowances and travelling expenses incurred.

In this Schedule—

“value” means the value of the property registered or recorded in the books of the District Lands Office or, where there is no such value, the value assessed or determined under the provisions of the Immovable Property (Tenure, Registration and Valuation) Law Cap. 224. or the Immovable Property Tax Law, or a value determined by the Director for the purposes of this Law. Cap. 329.

