

**CAP. 115.**

**CYPRUS**

**IRRIGATION ASSOCIATION**

**CHAPTER 115 OF THE LAWS**

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1959

## CHAPTER 115. IRRIGATION ASSOCIATION.

### ARRANGEMENT OF SECTIONS.

| <i>Section</i>                                                                               | <i>Page</i> |
|----------------------------------------------------------------------------------------------|-------------|
| 1 Short title .. .. .                                                                        | 2           |
| 2 Interpretation .. .. .                                                                     | 2           |
| 3 Meeting of proprietors .. .. .                                                             | 3           |
| 4 Notice of meeting .. .. .                                                                  | 3           |
| 5 Proceedings at the meeting .. .. .                                                         | 4           |
| 6 Power to Commissioner to ascertain views when meeting insufficiently attended .. .. .      | 6           |
| 7 Chairman of the Committee .. .. .                                                          | 6           |
| 8 Vacancies .. .. .                                                                          | 6           |
| 9 General powers of committee .. .. .                                                        | 6           |
| 10 Procedure, etc., at the meetings of the committee .. .. .                                 | 6           |
| 11 List of proprietors .. .. .                                                               | 6           |
| 12 Rules .. .. .                                                                             | 7           |
| 13 Failure to pay charges in time .. .. .                                                    | 8           |
| 14 Estimates .. .. .                                                                         | 9           |
| 15 Audit .. .. .                                                                             | 9           |
| 16 Power to Commissioner to surcharge .. .. .                                                | 10          |
| 17 Money to be deposited in accordance with directions of the Commissioner .. .. .           | 10          |
| 18 Name of irrigation association .. .. .                                                    | 10          |
| 19 Actions and legal proceedings .. .. .                                                     | 10          |
| 20 Power to Governor in Council to order dissolution of an irrigation association .. .. .    | 10          |
| 21 Loans to become due and payable on dissolution .. .. .                                    | 10          |
| 22 Supersession of the committee .. .. .                                                     | 11          |
| 23 Laying of pipes .. .. .                                                                   | 11          |
| 24 Compensation to be paid .. .. .                                                           | 11          |
| 25 Compensation how paid and collected .. .. .                                               | 12          |
| 26 How compensation to be paid if a person under disability .. .. .                          | 12          |
| 27 Power to Commissioner to order removal or remove obstructions to irrigation works .. .. . | 12          |
| 28 Offences and penalties .. .. .                                                            | 13          |
| 29 Power to Commissioner to depute duties, etc. .. .. .                                      | 13          |
| 30 No appeal in certain cases .. .. .                                                        | 13          |
| 31 Disposal of penalties .. .. .                                                             | 13          |

### A LAW TO MAKE PROVISION FOR THE FORMATION OF ASSOCIATIONS FOR THE BETTER REGULATION AND USE OF COMMON WATERS.

26 of 49.  
34 of 54.

[22nd August, 1949.]

Short title.

1. This Law may be cited as the Irrigation (Private Water) Association Law.

Interpre-  
tation.

2. In this Law—

“Commissioner” means the Commissioner of the district within which the irrigation association is being or has been formed;

“committee” means a committee of an irrigation association formed under the provisions of this Law ;

“irrigation association” means an irrigation association formed under the provisions of this Law by the proprietors of water held, possessed or used by them in common ;

“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 ;

“land” means land (with grazing rights over such land), buildings, trees, easements, standing crops and water or water rights and includes land belonging to any ecclesiastical or pious foundation ;

“proprietor” means a person entitled to be registered as the owner of a share in water held, possessed or used in common with any other person or persons, whether he is so registered or not, and includes a person entitled *ab antiquo* in common with any other person or persons to the enjoyment or use of any such water ;

“water” includes any stream, spring, well and any water rights, whether held together with, or independently of, any land.

3. It shall be lawful for the Commissioner, on the application in writing of not less than seven proprietors, to call a meeting of the proprietors of a common water for the purpose of determining whether an irrigation association shall be formed for all or any of the following purposes :—

Meeting of proprietors.

- (a) the construction, improvement, maintenance or repair of any irrigation works in connection with the common water ;
- (b) the protection of the common water or water-courses and for the regulation of the use thereof ;
- (c) the maintenance or protection of the water rights of the proprietors.

4. (1) The Commissioner shall, not less than one month before the holding of the meeting as in section 3 provided, cause a written notice thereof to be—

Notice of meeting.

- (a) published in a newspaper or newspapers ; and
- (b) posted in a conspicuous place in the town, village or quarter in which the water is situate.

(2) All expenses connected with the notices shall be paid for by the proprietors who have made the application as in section 3 provided but may be recovered by them from the funds of the irrigation association, if such association is eventually formed.

Proceedings  
at the  
meeting.

5. (1) The Commissioner shall preside at every meeting so convened and if any question is raised as to the right of a person to attend thereat or to vote, the Commissioner may there and then make such enquiry as he may deem requisite and declare whether such person has a right to attend or to vote or not and the decision so made shall be final ; and an entry shall be made in the minutes of the meeting of any such question and of the decision thereon.

2 (a) of 34/54.

(2) Subject to the provisions of the proviso to subsection (11) and of section 6, no business shall be transacted at any such meeting and no decision shall be taken thereat, unless more than one half of the aggregate number of the proprietors are present in person or are represented by a proxy appointed by an instrument certified by a mukhtar.

(3) The Commissioner shall call the persons who are present at the meeting and entitled to vote to decide whether an irrigation association shall be formed, the purpose or purposes for which such association shall be formed and the name of such association.

(4) All questions or resolutions proposed at any meeting shall be determined by a majority of the persons present and entitled to vote :

Provided that a proxy holding authority from more than one proprietor shall be entitled to vote in respect of every proprietor from whom he holds authority.

(5) If the persons who are present at the meeting and entitled to vote decide to form an irrigation association, they shall proceed to elect by an open vote to be taken by the Commissioner, as to him shall appear convenient, a committee of not less than three and not more than five persons from among the proprietors. Every candidate for such election shall be properly proposed and seconded at the meeting.

(6) Every proprietor present shall be entitled to give one vote for each candidate and every authorised proxy shall be similarly entitled to give one vote in respect of every proprietor from whom he holds authority.

(7) At the conclusion of the voting the Commissioner shall count the votes and the candidates who have received the greatest number of votes shall be declared to be elected as the committee and shall hold office for such period, not exceeding three years, as the committee may by Rules prescribe.

(8) In case a person elected as a member of the committee declines to act, the person who received the greatest number of votes next to such candidate shall be appointed by the Commissioner to be a member of the committee in the place of the candidate so declining to act.

(9) In case the number of candidates proposed and elected as members of the committee is not greater than the number of persons required as members of the committee and one or more of them declines to act, the Commissioner shall nominate another proprietor or proprietors to be a member or members of the committee in his or their place.

(10) The Commissioner shall keep or cause to be kept minutes of the proceedings at every meeting and shall enter or cause to be entered therein the questions or resolutions proposed thereat and the number of votes given for and against them and shall at the close of the meeting sign the minutes and declare the result of votes given.

(11) The Commissioner may at his discretion adjourn any meeting from time to time to a date and place to be declared by him at the meeting or the adjourned meeting and no further notice thereof shall be necessary :

Provided that—

2 (b) of 34/54.

- (a) unless special notice is given therefor, no subject which was not contained in the notice convening the public meeting shall be discussed or considered at any adjourned meeting ;
- (b) except for a meeting convened for the purposes of subsection (3), a business may be transacted at any adjourned meeting and a decision may be taken thereat irrespective of the number of the proprietors who are present in person or are represented by a proxy.