

CYPRUS

CIVIL WRONGS

CHAPTER 148 OF THE LAWS

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CHAPTER 148.

CIVIL WRONGS.

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A LAW TO DEFINE AND AMEND THE LAW OF
CIVIL WRONGS.

[1st January, 1933.]

Short title.

1. This Law may be cited as the Civil Wrongs Law.
PART I.

PRELIMINARY.

Interpreta-
tion.

2. (1) This Law shall be interpreted in accordance with the principals of legal interpretation obtaining in England, and expressions used in it shall be presumed, so far as is consistent with their context, and except as may be otherwise expressly provided, to be used with the meaning attaching to them in English law and shall be construed in accordance therewith.

(2) In this Law—

“action” means all proceedings of a civil nature before any Court and includes a set off or a counter-claim ;

“animal” includes birds, fish, insects and reptiles ;

“wild animal” means any animal not usually kept in captivity or under the control of man in the Colony ;

“damage” means the loss of or detriment to any property, comfort, bodily welfare, reputation or other similar loss or detriment ;

“enactment” means any Order of Her Majesty in Council or any Law or any Order of the Governor in Council or any bye-law, regulation, rule or other subsidiary legislation lawfully made ;

“injury” means any unlawful interference with a legal right ;

“master” means the person who, in relation to another, has complete control of the way in which such other performs his work for such person, “servant” means any person whose work is so controlled by a master :

Provided that no person in the service of Her Majesty or of the Government of the Colony or of the Evcaf Department or of any Municipal Corporation or of any person shall be deemed to be the master or servant of any other person in such services respectively ;

“occupier” means any person entitled as against

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the owner thereof to occupy or use any immovable property and if there is no such person then the owner of such property ;

“ property ” means immovable and movable property ;

“ immovable property ” means land, houses, buildings, walls and other constructions and trees ;

“ movable property ” means all inanimate things and animals and shall include money, the produce of trees and vines, cereals, vegetable and other crops and water, whether severed from the land or not ;

“ public office ” means any office held for the time being by any person employed in the public service as defined in the Criminal Code.

Cap. 154.

3. The matters in this Law hereinafter enumerated shall be civil wrongs, and subject to the provisions of this Law, any person who shall suffer any injury or damage by reason of any civil wrong committed in the Colony or within three miles of the coast thereof measured from low water mark shall be entitled to recover from the person committing or liable for such civil wrong the remedies which the Court has power to grant :

Right to
remedy in
respect of
civil wrongs

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of 24/59

Provided that an act which if repeated would not tend to establish an adverse claim or which is an act of which in the circumstances a person of ordinary sense and temper would not complain shall not be deemed to be a civil wrong.

PART II.

RIGHTS AND LIABILITIES OF CERTAIN PERSONS.

4. (1) No action in respect of any civil wrong shall be brought against Her Majesty.

(2) A servant of the Crown shall be responsible for any civil wrong committed by him :

Limitation
of actions
against
certain
persons in
respect of
civil wrongs.

Provided that he shall be sued therefor in his personal capacity :

Provided also that, subject to the provisions of sub-sections (3) and (4) hereof, it shall be a defence to any action brought against any such servant that the act complained of was within the scope of his lawful authority.

No servant of the Crown shall be responsible for any civil wrong committed by any other servant of the Crown