

CYPRUS

**COMPENSATION ASSESSMENT
TRIBUNAL**

CHAPTER 216 OF THE LAWS

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1959

CHAPTER 216.

COMPENSATION ASSESSMENT TRIBUNAL.

ARRANGEMENT OF SECTIONS.

<i>Section</i>		<i>Page</i>
1	Short title	2
2	Interpretation	2
3	Establishment and jurisdiction of the Tribunal	2
4	Members, officers and expenses of the Tribunal	3
5	Quorum and decision of Tribunal	4
6	Powers of Tribunal	4
7	Case stated	5
8	Enforcement of decision of Tribunal	5
9	Power to add to jurisdiction of the Tribunal	5
10	Rules of Court	7
11	Savings, etc.	7

A LAW TO MAKE PROVISION FOR THE ESTABLISHMENT OF A
 TRIBUNAL TO DETERMINE COMPENSATION FOR THE
 COMPULSORY ACQUISITION OF LAND AND OTHER
 MATTERS.

43 of 55.

[20th September, 1955.]

- Short title. 1. This Law may be cited as the Compensation Assessment Tribunal Law.
- Interpretation. 2. In this Law, unless the context otherwise requires—
 “advocate” has the same meaning as in section 2 of the Advocates Law, or any other Law amending or substituted for the same;
 “land” has the same meaning as in section 2 of the Land Acquisition Law or any other Law amending or substituted for the same;
 “President” means the President of the Tribunal and includes any person acting under the provisions of this Law as such;
 “Tribunal” means the Tribunal set up under section 3.
- Cap. 2.
- Cap. 226.
- Establishment and jurisdiction of the Tribunal. 3. There shall be set up, to exercise the jurisdiction hereafter mentioned in this Law, a Compensation Assessment Tribunal to which shall be referred for determination all matters concerning the assessment of compensation for compulsory acquisition of land, which is by any Law

directed, in whatever terms, to be determined by arbitrators or a District Court either in the first instance or sitting as an umpire or which is so directed to be determined in the absence of agreement to the contrary, and any other matter of disputed compensation for injurious affection of any land.

4. (1) The Tribunal shall consist of a President and such number of other members as the Chief Justice may determine, to be appointed by the Chief Justice by notification in the Gazette. Members, officers and expenses of the Tribunal.

(2) The President shall be either a person who holds or has held judicial office under the Crown or an advocate of at least fifteen years' standing, and of the other members of the Tribunal such number as the Chief Justice may determine shall be advocates and the others shall be persons who have had experience in the valuation of land.

(3) In the case of the temporary absence or inability to act of the President, the Chief Justice may appoint another member of the Tribunal to act as deputy for the President, and a member so appointed shall, when so acting, have all the functions of the President.

(4) If a member of the Tribunal becomes, in the opinion of the Chief Justice, unfit to continue in office or incapable of performing his duties, the Chief Justice shall forthwith declare his office to be vacant and shall notify the fact in the Gazette, and thereupon the office shall become vacant.

(5) Subject to subsection (4), the appointment of a member of the Tribunal shall be for such term as may be determined by the Chief Justice, with the approval of the Governor, before his appointment, and shall be subject to such conditions as may be so determined, and a person who ceases to hold office as a member of the Tribunal shall be eligible for re-appointment thereto.

(6) There may be paid to the President and the other members of the Tribunal such remuneration, and such travelling and subsistence allowances, as the Chief Justice may, with the approval of the Governor, determine.

(7) The Chief Justice may appoint such officers and servants of the Tribunal as he may, with the approval of the Governor as to numbers and remuneration, determine.

(8) The remuneration and allowances of the President and the other members of the Tribunal, the remuneration

of the officers and servants appointed by the Chief Justice, and such other expenses of the Tribunal as the Governor may determine, shall be defrayed out of Government funds.

Quorum
and decision
of Tribunal.

5. (1) Subject to any other direction of the Chief Justice, the jurisdiction of the Tribunal may be exercised by the President and any two of its members, and references in this Law to the Tribunal shall be construed accordingly.

(2) The members who are to deal with any case shall be selected as follows:—

(a) the Chief Justice may select two members to deal with a particular case or class or group of cases;

or

(b) the Chief Justice may select for a class or group of cases members from amongst whom two members to deal with any particular case shall be selected, and the selection from amongst those members of two members to deal with a particular case shall then be made by the President.

(3) The President or, in the case of his temporary absence or inability to act, the member appointed under the provisions of subsection (3) of section 4 to act as his deputy shall be the third member of the Tribunal when dealing with any case and shall preside at the hearing.

(4) A decision shall be taken, in the event of a difference between the members dealing with the case, by the votes of the majority and, in the event of an equality of votes, the person presiding at the hearing shall be entitled to a second or casting vote.

(5) Subject to section 7, a decision of the Tribunal shall be final.

Powers of
Tribunal.

6. The Tribunal shall have power to do all things which it is required or empowered to do by or under the provisions of this Law, and in particular shall have power—

(a) to hear and determine any case or proceedings for the purpose of assessing the compensation payable in respect of compulsory acquisition of land or any injurious affection to land and any matter relating thereto;

(b) to examine any witness on oath, to summon and