

CYPRUS

PUBLIC LANDS (LEASES)

CHAPTER 230 OF THE LAWS

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CHAPTER 230.

PUBLIC LANDS (LEASES).

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FOR FACILITATING THE LEASING OF UNOCCUPIED AND
PUBLIC LANDS BY THE GOVERNMENT FOR BUILDING
PURPOSES.

1949.
Cap. 236.

[6th June, 1882.]

Short title.

1. This Law may be cited as the Public Lands (Leases) Law.

Power to
Governor to
grant leases.

2. The Governor may by writing under his hand and the Public Seal of the Colony, subject to the provisions hereinafter contained, grant leases for building purposes of any unoccupied land within the Colony or any other lands to which no person shall have a title or claim of title at the time of the making of the lease, for any term of years not exceeding five hundred years, to take effect upon the making of the lease, and for such rent, either nominal or beneficial, and under and subject to such covenants on the part of the lessee, conditions and stipulations as to the Governor in Council may seem fit. Every such lease shall contain a covenant by the lessee that he will pay any rent reserved by the lease, and a proviso for re-entry by the Governor or his duly authorized agent on non-payment of rent or non-performance of the covenants contained in the lease:

Provided that nothing herein contained shall authorize the leasing of any lands except for the purpose of providing a site for the erection of a dwelling house or dwelling houses, with such usual and necessary buildings, outhouses, and offices as are commonly appurtenant thereto, and with a reasonable extent of land to be devoted to the use and enjoyment of the persons inhabiting the same.

3. Every lease granted under this Law shall be binding upon the lessee and his successors by inheritance or by assignment (voluntary or otherwise); and no assignment shall release the lessee from his liability under the lease, except with the consent of the Governor.

Lessee and successors bound by lease.

4. When any application is made for a lease under this Law the Administrative Secretary shall cause to be inserted in the Gazette a notice containing a description of the land for a lease of which application has been made, and stating that the same is claimed to be the property of the Government, free from all rights of every nature whatsoever, and calling on all persons having or claiming any interest in or right over the land to notify their claims in writing to the Commissioner of the district within three months from the date of the notice. A copy of the notice in English, Turkish and Greek shall be served on the mukhtar of every village and on the President or Superior of every monastery within a distance of three English miles, or if there be no village or monastery within that distance then upon such of the villages and monasteries, if any, in the neighbourhood as the Governor shall direct. Such copies shall be posted and served not later than fourteen days after the publication of the original notice.

Notice of application for lease to be published.

5. Every claim to possession notified in pursuance of and within the time specified in the notice required by section 4 shall be submitted to the Governor, who shall have power to admit or reject it as he shall think fit; and if he shall reject any claim it shall be forthwith heard and finally adjudicated upon in the Supreme Court by the Chief Justice sitting with at least two assessors.

Claims to possession of land.

6. Every claim to any right of forest, right of pasture, or other right of a like nature notified in pursuance of and within the time limited by the notice required by section 4, may without further proceedings be put an end to on compensation being made for the same in manner hereinafter

Rights of forest, etc. extinguished on compensation.

provided, unless the person or a majority of the persons claiming the right shall object to it being put an end to notwithstanding that compensation is to be made therefor.

Proceedings
where rights
of forest, etc.
not admitted
or deter-
mination
objected to.

7. In case any claim to any right of forest, right of pasture or other right of a like nature notified in pursuance of and within the time limited by the notice required by section 4, shall not be admitted by the Governor, or in case the person or a majority of the persons claiming any such right shall object to it being put an end to notwithstanding that compensation is to be made for it, every such claim which shall not be admitted by the Governor and every such objection shall be heard and finally adjudicated upon in the Supreme Court by the Chief Justice sitting with at least two assessors, and on hearing and adjudicating upon any such objection the Court shall consider whether, having regard to the extent and nature of the rights claimed and the circumstances of the case, it is possible without causing injustice to the persons claiming such rights to put an end thereto on making due compensation therefor; and the Court shall not direct that the rights are to be extinguished unless it shall appear to the Court that they can, without causing injustice to the persons claiming them, be put an end to on due compensation being made therefor, in which case the Court may direct that the rights may be put an end to.

Valuation of
rights for
compensa-
tion.

8. The value of all rights of forest, rights of pasture or other rights of a like nature which may be admitted or decided to be valid and which may under the provisions of this Law be commuted shall with all convenient speed be valued by the District Council (Mejlis Idaré) of the district in which the land, for a lease of which application is made, is situate.

Every District Council (Mejlis Idaré) of the district in making an assessment under the provisions of this section shall decide to what persons and for what purpose the money estimated as the compensation for any of the rights aforesaid shall be paid.

No claim to any such right as aforesaid notified after the time limited in that behalf by the notice required by section 4 shall entitle the persons notifying it to any compensation whatsoever.

Lessee may
apply to
have land
valued to
meet future
claims.

9. If at the expiration of the time limited by any notice under the provisions of section 4 no claim has been notified in pursuance thereof, or if any claim so notified has been