

CYPRUS

WRECKS

CHAPTER 298 OF THE LAWS

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1959

CHAPTER 298.

WRECKS.

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TO REGULATE INQUIRIES INTO WRECKS, AND TO PROVIDE
FOR THE CUSTODY AND DISPOSAL OF WRECKED
PROPERTY.

[3rd August, 1886.]

1949
Cap. 280.

1. This Law may be cited as the Wrecks Law.

Short title.

2. In this Law—

Interpreta-
tion.

“Commissioner” of a district includes any person having authority to act for the Commissioner;

“Consular Officer” includes any person for the time being discharging the duties of Consul or Vice-Consul;

“owner” in the case of a ship includes the master and every other person who is for the time being entitled, either as owner or agent for the owner, to receive the freight, demurrage or charges payable in respect of the ship, and, in the case of goods, includes every person who is for the time being entitled, either as owner or agent for the owner, to the possession of any goods, subject in the case of a lien, if any, to the lien;

“Receiver” means any person authorized by this Law to act as Receiver of Wreck;

“ship” includes any description of vessel, except boats and other craft usually impelled by oars and lighters under fifteen tons;

“wreck” includes the following, when found in the sea or any tidal water or the shores thereof; that is to say—

- (a) goods which have been cast into the sea and sink and remain under water;
- (b) goods which have been cast or fall into the sea and remain floating on the surface;

(c) goods which are sunk in the sea, but are attached to a floating object in order that they may be found again;

(d) goods which are thrown away or abandoned, and any ship abandoned without hope or intention of recovery.

Goods lost between ship and shore not to be considered as wreck.

3. Goods washed away or cast into the sea or sunk from boats or lighters whilst engaged in carrying the goods to or from any ship lying at anchor in any port or harbour shall not be deemed to be wreck within the meaning of this Law, unless they are abandoned by the owner or shipper thereof, or unless the owner or shipper has required the assistance of the Receiver of Wreck in the recovery of them.

PART I.

INQUIRIES AS TO WRECKS, ETC.

Inquiries to be instituted in cases of wreck and casualty.

4. In any of the cases following—

whenever any ship is lost, stranded, abandoned, or materially damaged on or near the coasts of Cyprus;

whenever any ship causes material damage to another ship on or near the coasts;

whenever by reason of any casualty happening in or on board of any ship on or near the coasts loss of life ensues;

whenever such loss, stranding, abandonment, damage, or casualty happens elsewhere, and any competent witnesses thereof arrive or are found at any place within Cyprus,

it shall be lawful for the Commissioner of the district in which, or nearest to the place where the loss, stranding, abandonment, damage or casualty occurred, if it occurred on or near the coasts of Cyprus, but if it occurred elsewhere, for the Commissioner of the district in which such witnesses as aforesaid are found or can conveniently be examined, or in either case for any person appointed for the purpose by the Governor, to make inquiry respecting the loss, stranding, abandonment, damage, or casualty.

Powers of officer conducting.

5. (1) Every Commissioner or other person acting under the provisions of section 4 hereof, shall have the following powers—

(a) he may go on board any ship, and may inspect it or any part of it, or any of the machinery,

boats, equipments, or articles on board of it, to which the provisions of this Law apply, not unnecessarily detaining or delaying her from proceeding on any voyage;

- (b) he may enter and inspect any premises, the entry or inspection of which appears to him to be requisite for the purpose of the report which he is directed to make;
- (c) he may, by summons under his hand, require the attendance of all such persons as he thinks fit to call before him and examine for that purpose, and may require answers or returns to any inquiries he thinks fit to make;
- (d) he may require and enforce the production of all books, papers, or documents which he considers important for that purpose;
- (e) he may administer oaths or may, in lieu of requiring or administering an oath, require every person examined by him to subscribe a declaration of the truth of the statements made by him on his examination.

(2) Every witness so summoned shall be allowed such expenses as would be allowed to a witness attending on a summons to give evidence before the District Court; and in case of any dispute as to the amount of such expenses, the matter shall be referred to the President of the District Court.

(3) Every person who refuses to give evidence before the Commissioner or other person as aforesaid, or who refuses to make any answer, or to give any returns, or to produce any document in his possession, or to make or subscribe any declaration, which the Commissioner or other person is hereby empowered to require, shall for each offence be liable to a penalty not exceeding ten pounds.

6. The Commissioner or other person shall examine the witnesses on the inquiry as to the following matters—

Matters to be
inquired
into.

- (a) the name and description of the ship, her port of registry, official number and tonnage;
- (b) the names of the master and of the owners;
- (c) the names of the owners of the cargo;
- (d) the ports or places from and to which the ship was bound;