

**CYPRUS**

**GOVERNMENT WATERWORKS**

**CHAPTER 341 OF THE LAWS**

**1959 EDITION**

PRINTED BY

**C. F. ROWORTH LIMITED, 54, GRAFTON WAY, LONDON, W.1**

*[Appointed by the Government of Cyprus the Government Printers of this Edition  
of Laws within the meaning of the Evidence (Colonial Statutes) Act, 1907.]*

**1959**

## CHAPTER 341.

## GOVERNMENT WATERWORKS.

## ARRANGEMENT OF SECTIONS.

| <i>Section</i>                                                                                                              | <i>Page</i> |
|-----------------------------------------------------------------------------------------------------------------------------|-------------|
| 1 Short title ... ..                                                                                                        | 2           |
| 2 Interpretation ... ..                                                                                                     | 2           |
| 3 Vesting of water in Government ... ..                                                                                     | 3           |
| 4 Powers of Government to take, store or divert water, to construct waterworks, acquire land and remove obstructions ... .. | 4           |
| 5 Governor to order execution of waterworks ... ..                                                                          | 4           |
| 6 Water Commissioners to record water rights ... ..                                                                         | 4           |
| 7 Registration of water channels ... ..                                                                                     | 4           |
| 8 Power to compel attendance of witnesses ... ..                                                                            | 5           |
| 9 Deposit of Register with Commissioner ... ..                                                                              | 6           |
| 10 Power to object to Register ... ..                                                                                       | 6           |
| 11 Hearing of objection ... ..                                                                                              | 6           |
| 12 Register when binding ... ..                                                                                             | 6           |
| 13 Certain powers to the Director of Water Development and consequential action ... ..                                      | 7           |
| 14 Water rights to be satisfied ... ..                                                                                      | 10          |
| 15 Specification to be prepared by Water Commissioners ... ..                                                               | 10          |
| 16 Provisions applicable to the Specification ... ..                                                                        | 11          |
| 17 Recommendation to acquire land or remove obstruction ... ..                                                              | 11          |
| 18 Notice to persons interested ... ..                                                                                      | 11          |
| 19 Sanction by Governor ... ..                                                                                              | 11          |
| 20 Vesting of land in Government and power of Director of Public Works to remove obstruction ... ..                         | 12          |
| 21 Determination of compensation ... ..                                                                                     | 12          |
| 22 Power of Government to sell, etc. ....                                                                                   | 12          |
| 23 Accommodation work ... ..                                                                                                | 12          |
| 24 Revision of rates or charges ... ..                                                                                      | 13          |
| 25 Priority of rates or charges ... ..                                                                                      | 13          |
| 26 Recovery of rates or charges ... ..                                                                                      | 13          |
| 27 Power to requisition labour in cases of emergency ... ..                                                                 | 13          |
| 28 Offences and penalties ... ..                                                                                            | 14          |
| 29 Power to Governor in Council to make Regulations ... ..                                                                  | 15          |
| 30 Right to take drinking water from river, etc. ... ..                                                                     | 15          |
| 31 Saving ... ..                                                                                                            | 16          |

TO PROVIDE FOR THE VESTING AND CONTROL OF WATER, THE  
CONSTRUCTION OF WATERWORKS AND FOR OTHER  
PURPOSES RELATING THERETO.

[12th May, 1928.]

1949  
Cap. 305.  
24 of 49.  
43 of 55.  
9 of 58.

Short title.

1. This Law may be cited as the Government Waterworks Law.

Interpreta-  
tion.

2. In this Law—

“Commissioner” means the Commissioner of the district within which any waterworks constructed or

to be constructed and any land acquired or to be acquired are situated;

“land” includes land (with the grazing rights over such land) buildings, trees, easements, standing crops and water or water rights other than water or water rights deemed to be the absolute property of the Government under this Law;

“person” includes any body of persons, corporate or unincorporate, and any ecclesiastical or pious foundation;

“persons interested” include all persons claiming an interest in compensation to be made on account of the acquisition of land under this Law; and a person shall be deemed to be interested in land if he is interested in an easement affecting the land;

“water” means water for which provision is made in section 3 of this Law;

“waterworks” 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 for the storage, conveyance, supply, distribution, measurement or regulation of water which are so used or have been constructed by or on behalf of the Government under this Law.

3. (1) Notwithstanding anything to the contrary contained in any other Law now in force in the Colony—

Vesting of  
water in  
Government.

(a) all underground water (including second water) for which no measures have hitherto been taken enabling such water to be brought or raised to the surface or to run on the surface; and

(b) all water running to waste from any river, spring, stream or watercourse; and

(c) all other waste water,

shall be deemed to be the absolute property of the Government, and no person shall take or utilize or take measures to utilize such water without the written permission of the Commissioner first obtained:

Provided that no permission under this sub-section shall be required in respect of any water from any well or line of wells sunk or constructed in virtue of a permit of the Commissioner issued under the provisions of the Wells Law.

2 of 28/45.

Cap. 351.

(2) All water in any river, spring, stream or watercourse, whether the subject of private rights or otherwise, in respect of which any waterworks are undertaken shall, after making such provision as is in this Law enacted for the supply of, water to persons or lands possessing the right to take water from such river, spring, stream or watercourse, be deemed to be the absolute property of the Government, and no person shall take or utilize such water save as is hereinafter provided.

Powers of Government to take, store or divert water, to construct waterworks, acquire land and remove obstructions.

4. For the purpose of taking or utilizing water, the Government may—

- (a) store, divert, or otherwise deal with or control such water as may appear to the Government expedient;
- (b) construct any waterworks;
- (c) acquire any land for the construction and maintenance of any waterworks;
- (d) remove or interfere with any building or structure or other obstruction to any waterworks.

Governor to order execution of waterworks.

5. The Governor shall from time to time determine the waterworks to be undertaken under the provisions of this Law.

Water Commissioners to record water rights.

6. Whenever it appears that any existing water rights will or may be injuriously affected by the carrying out of any waterworks under this Law, the Governor shall nominate and appoint three Water Commissioners in order to ascertain and record the nature, extent and situation of the said rights in the manner hereinafter provided.

Registration of water channels.

7. The Water Commissioners shall ascertain and record in a book, in this Law referred to as "the Register"—

- (a) every channel used at the date of the inquiry by any person in the exercise of a water right which, in the opinion of the Water Commissioners, is liable to be so injuriously affected as aforesaid;
- (b) the average area which, during the five years immediately preceding the date of the inquiry, has been lawfully watered by each channel, such average being computed on the basis of the three years in which the most extensive area has been watered;
- (c) the average number of times such area has been

watered in each year during the said period, and whether the waterings have been used for winter or summer cultivation;

(d) every channel the use of which has been abandoned at the date of inquiry, and the average area of land lawfully watered by such channel, and whether the land has been watered for winter or summer cultivation, if it is proved—

(i) that the channel has, at any time during the ten years immediately preceding the date of the inquiry, been used in the exercise of a water right;

(ii) that the abandonment thereof has been caused by the minority, mental or physical incapacity, absence from Cyprus or lack of means on the part of the person entitled to use it;

(iii) that the channel is liable to be affected by the proposed waterworks;

(e) every right to take water for the service of any mill or machine or for any purpose, and the nature and extent of the right.

The Water Commissioners shall cause to be prepared and attached to the Register a plan showing the position and course of each channel and the situation and extent of the land watered by each channel as aforesaid.

8. The Water Commissioners shall, at least one month before the holding of an inquiry, cause a notice to be published in every village likely to be affected by the inquiry, calling upon all interested persons to appear before the Water Commissioners with the evidence upon which they rely to support their claims; and, for the purposes of the above inquiry, the Water Commissioners may require by summons the attendance of any person whose presence or evidence they may consider necessary for the investigation or settlement of any question arising during the inquiry, and any person refusing to attend on such summons or to answer any question material for the purpose of the inquiry, or to produce any document he may be required to produce, shall be liable to a fine not exceeding ten pounds.

Power to  
compel  
attendance  
of witnesses.

The Water Commissioners may, for the purpose of the inquiry, take evidence on oath or affirmation; and any person wilfully giving false evidence upon such oath or