

CYPRUS

WELLS

CHAPTER 351 OF THE LAWS

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1959

CHAPTER 351.

WELLS.

ARRANGEMENT OF SECTIONS.

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A LAW TO MAKE BETTER PROVISION FOR THE SINKING OR
CONSTRUCTION OF WELLS AND THEIR PROTECTION AND
THE PROTECTION OF WATER RIGHTS.

1949.
Cap. 312.
19 of 51.
42 of 53.

[1st September, 1946.]

Short title.

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

Interpreta-
tion.

2. In this Law—

“ local authority ” means a municipal authority or a village authority and any board or body, constituted under any Law in force for the time being, charged or having power to deal with the supply of water in any town or village;

“ well ” means any shaft or borehole sunk on any land for obtaining underground water and includes a line of wells.

Permit for
the sinking
or construc-
tion of wells.

3. (1) No well shall be sunk or constructed in or upon any land unless the person proposing to sink or construct the well applies for, and obtains, a permit from the Commissioner of the district in which such well is to be sunk or constructed:

Provided that, where the applicant is not the owner of the land on which the well is to be sunk or constructed, no permit shall be granted by the Commissioner unless the applicant obtains therefor the written permission of the owner of the land, duly certified by a certifying officer.

(2) Every application for a permit to sink or construct a well shall be in the form and shall contain the particulars set out in the Schedule to this Law.

Schedule.

(3) In granting a permit under the provisions of subsection (1) of this section, the Commissioner may impose such conditions and restrictions as to him may seem necessary or desirable regarding the sinking or construction of the well, the manner in which the water shall be taken therefrom and generally regarding the use of the water of such well:

2 of 19/51.

Provided that upon the application of the holder of a permit the Commissioner may vary or modify any conditions or restrictions imposed in such permit.

(4) A well in respect of which a permit has been granted under the provisions of this section must be sunk and constructed within a period of twelve months from the date of such permit:

2 of 19/51.

Provided that, if the sinking or construction of the well is not completed within the aforementioned period, the permit may be renewed by the Commissioner for a further period of twelve months upon payment of the fee prescribed in subsection (5) of this section.

4. (1) Notwithstanding anything in this or any other Law contained, where the Governor is satisfied that special measures for the conservation of water in any area are necessary in the public interest, whether for the protection of public water supplies or for the protection of water supplies used for industrial, domestic or other purposes, he may make an Order defining such area and, thereupon, no permit for the sinking or construction of a well in any such area shall be issued by a Commissioner and no variation or modification of any condition or restriction imposed in such permit shall be effected, save with the concurrence of the Director of Water Development.

Power to
Governor as
respects
certain
areas.
3 of 19/51.

(2) Before making an Order under this section, the Governor shall cause to be published in the Gazette a notice—

(a) giving particulars of the proposed Order;

(b) specifying a place where a copy of the draft Order and of every relevant map and plan may be inspected by any person free of charge at all reasonable hours during a period of fourteen days from the date of the publication of the notice and stating that, within the same period, any person may, by notice addressed to the Commissioner, object to the making of the Order.

(3) Any person who objects to the making of the Order may, within the period mentioned in paragraph (b) of subsection (2), give notice thereof to the Commissioner giving full particulars of his objection and the Commissioner, at the expiration of the aforementioned period, shall transmit the same to the Governor.

(4) The Governor, after considering any objections, may make the Order either in the terms of the draft or in those terms as modified in such manner as he thinks fit:

Provided that, when he proposes to make any modification and considers that other persons may be adversely affected thereby, he shall give and publish an additional notice in such manner as he thinks best adapted for informing all persons likely to be so affected by the modification proposed.

(5) The Director of Water Development, in giving or withholding his concurrence under this section, shall have regard to the extent to which the general water situation in the area (including its further development) or the requirements of prior users of water may be affected by the proposed well.

Widening,
etc., of wells.
3 of 19/51.

5. For the purposes of this Law, widening, deepening or otherwise extending any existing well shall be deemed to be an operation in respect of which a permit must be obtained under the provisions of this Law.

Licensing
of drillers.
2 of 42/53.

6. (1) Notwithstanding the provisions of section 15 of this Law, no person shall, by, or with the assistance of, drilling machinery, drill, sink or construct a well, or deepen, enlarge, repair or clean an existing well, unless he is the holder of a licence issued by the Director of Water Development in that behalf (hereinafter referred to as a "driller's licence").

(2) Every driller's licence shall be subject to such terms and conditions as the Director of Water Development

may deem fit to impose and, unless previously revoked, shall expire on the 31st day of December in the year in which it is issued.

(3) A fee of five hundred mils shall be paid in respect of every driller's licence.

(4) The Director of Water Development may refuse to issue a driller's licence if, in his opinion, the applicant for such licence is not competent to carry on the operation of drilling, sinking or constructing a well, or of deepening, enlarging, repairing or cleaning an existing well.

(5) Every holder of a driller's licence shall give the Director of Water Development not less than seven days' notice in writing of his intention to drill, sink or construct a well, or to deepen, enlarge, repair or clean an existing well.

(6) Every holder of a driller's licence shall—

(a) keep such records of any work carried out by him in such form as the Director of Water Development may from time to time direct;

(b) transmit to the Director of Water Development copies of the said records of any work carried out by him within one month of the date of the completion of such work;

(c) retain all samples of materials penetrated by him in drilling, sinking or constructing a well, or in deepening, enlarging, repairing or cleaning an existing well, for a period of two weeks after the transmission to the Director of Water Development of the records relating to such drilling, sinking or construction, or deepening, enlarging, repairing or cleaning, and such samples may be examined and retained by the Director of Water Development or any person authorized by him in that behalf.

(7) Every holder of a driller's licence shall, before commencing any operation of drilling, sinking or constructing a well, or deepening or enlarging an existing well, satisfy himself that the person for whom he is drilling, sinking or constructing a well, or deepening or enlarging an existing well, is in possession of a valid permit issued under the provisions of section 3 of this Law.

(8) Any person who fails to comply with the provisions of this section or with the terms or conditions of a driller's