

4 OF 1886.

TO AMEND THE LAW AS TO THE ACQUISITION OF TITLE TO IMMOVABLE
PROPERTY BY ADVERSE POSSESSION.

HENRY BULWER.]

[April 24, 1886.]

Definitions.

1. In this Law:—

“Adverse possession” means possession by some person not entitled to possession, where the express consent or permission of the person so entitled has not been given or obtained for such possession;

“Undisputed adverse possession” means adverse possession as hereinbefore defined which is had without dispute on the part of any person entitled to bring an action for the recovery of the property adversely possessed;

“Registered” means registered in the books of the Land Registry Office;

“The period of prescription” means the period of undisputed adverse possession of any immovable property which by Law constitutes a valid defence to an action for the recovery of such property.

Period of
prescription,
how to be
computed.

2. The period of prescription shall be computed to commence from the time when the right to bring an action for the recovery of property adversely possessed first arose; and where the person having the right to maintain an action for the recovery of any immovable property is under any of the disabilities hereafter mentioned, that is to say, infancy, idiocy, lunacy, unsoundness of mind or absence from Cyprus, then the period of prescription shall not be deemed to have expired until the expiration of five years from the time when he first ceased to be under the disability or died.

As to adverse
possession by
person not
registered.

3. An action for the recovery of immovable property of which some person in whose name the same has not been registered has had undisputed adverse possession for the period of prescription shall not be maintainable unless the person instituting the action has, during some part of the time of such adverse possession, prior to the expiration of the period of prescription, been lawfully entitled to be and has been actually registered as the owner thereof; but such action shall be maintainable where the person instituting it has during some part of the time aforesaid been lawfully entitled to be and has been actually so registered.