

Turkish



THE
STATUTE LAWS OF CYPRUS,
1931.

—•••—
No. 1 OF 1931.

*Repealed by
Law 11 of 1938*

A LAW TO AMEND AND CONSOLIDATE THE IRRIGATION
AND WATER LAW, 1887.

A.D. 1931.
1 of 1931.

RONALD STORRS.]

[May 8, 1931.]

BE it enacted:—

1. This Law may be cited as the Irrigation Law, 1931. Short title.
2. In this Law unless the context otherwise requires the following expressions have the meanings hereby respectively assigned to them (that is to say):—

Interpreta-
tion.

“Commissioner” means the Commissioner of the district within which the irrigation division has been formed.

“Committee” means a committee formed under the provisions of this Law to act in the irrigation division for which it has been so formed.

“Irrigation division” means an irrigation division formed by the proprietors of a village or group of villages under the provisions of this Law, operating within such village or group of villages.

“Irrigation works” 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 under the provisions of this Law for the storage, conveyance, supply, distribution, measurement or regulation of water.

“Land” includes land (with grazing rights over such land), buildings, trees, easements, standing crops and water or water rights and includes land belonging to any ecclesiastical or pious foundation.

“Proprietor” means an owner of land which is benefited or is capable of being benefited by any irrigation works.

Meeting of proprietors.

3. It shall be lawful for the Commissioner of any district at his own instance or on the application in writing of not less than ten proprietors within any village or group of villages as to him may appear likely to be benefited by any irrigation works, to call a meeting of the proprietors of such village or group of villages (hereinafter called the public meeting) for the purpose of determining whether an irrigation division shall be formed for all or any of the following purposes:—

(a) The construction, improvement, maintenance or repair of any irrigation works lying wholly or in part within the lands of such village or group of villages;

(b) The protection of common waters or watercourses and for the regulation of the use thereof;

(c) The maintenance of the water rights of the proprietors.

Notice of public meeting.

4. The Commissioner shall at least one month before the holding of a public meeting cause a notice to be posted in a conspicuous place in every village likely to be affected by any irrigation works, stating the day and place appointed for holding the meeting and the object thereof, and calling upon all proprietors within such village to attend in person or by proxy appointed in writing, at the meeting.

Proceedings at the public meeting.

5. Every public meeting so convened shall be held in the presence of the Commissioner at the time and place appointed, and at such a meeting the proprietors or the authorized proxies thereof who are present shall decide by majority as provided in section 7 of this Law—

(a) whether an irrigation division shall be formed, and

(b) the purpose or purposes for which such division shall be formed, and

(c) the village or villages which shall be comprised in the irrigation division, and

(d) whether Government aid is necessary.

6. If at any public meeting any question is raised as to the right of any person to vote, the Commissioner may there and then make such inquiry as he may deem requisite, and declare whether the person has the right of voting or not, and the decision so made shall be final, and an entry shall be made in the minutes of the meeting of any such question and of the decision thereon.

Right to vote.

7. All questions or resolutions proposed at any public meeting shall be determined by a majority consisting of two-thirds at least of the persons present and entitled to vote.

Majority required at the meetings.

8. The Commissioner may at his discretion adjourn any public meeting from time to time to a date and place to be publicly declared by him at the meeting or the adjourned meeting and no further notice thereof shall be necessary :

Power to Commissioner to adjourn meetings.

Provided that at any adjourned meeting no object which was not contained in the notice convening the public meeting shall be discussed or considered.

9. The Commissioner shall cause to be entered in the minutes of every public meeting the questions or resolutions proposed thereat, and the number of votes given for and against them, and shall at the close of the meeting sign the minutes, and publicly declare the result of the votes given, and shall cause copies of the minutes certified under his hand to be transmitted to the Colonial Secretary to the Government.

Record of proceedings.

IRRIGATION DIVISION WITHOUT GOVERNMENT AID.

10.—(1) If the proprietors or the authorized proxies thereof decide at a public meeting to form an irrigation division and that no Government aid is necessary therefor, they shall proceed as hereinafter provided to elect a committee of not less than three and not more than five persons from among the proprietors of such village or villages as may be comprised in the irrigation division, to serve upon the committee.

Election of committee.

(2) Every such election shall be by open vote to be taken by the Commissioner, in such manner as to him shall appear convenient, for any proprietor who may be proposed and seconded as a candidate at the meeting at which the election is held.

(3) All proprietors present or the authorized proxies thereof shall be entitled to give one vote for each candidate whom they wish to be elected.

(4) At the conclusion of the voting the Commissioner shall count the votes and the candidates who have received the greatest number of votes shall be declared to be elected as the committee and shall hold office for such period, not exceeding three years, as the committee may by rules prescribe.

(5) In case a person elected as a member of the committee declines to act, the person who received the greatest number of votes next to such candidate shall be appointed by the Commissioner to be a member of the committee in the place of the candidate so declining to act.

(6) In case the number of candidates proposed and elected as members of the committee is not greater than the number of persons required as members of the committee and one or more of them declines to act, the Commissioner shall nominate another proprietor or proprietors to be a member or members of the committee in his or their place.

(7) The Commissioner shall be the chairman of the committee with a right to vote on all questions and in case of equality of votes he shall have a casting vote in addition to his own vote.

Vacancies.

11. If any vacancy occurs in a committee it shall be filled by the election of a proprietor by the remaining members thereof.

General powers of committee.

12. The committee shall have the general supervision and control of the irrigation works and may, subject to the consent of the Commissioner:—

(a) Contract a loan for carrying out any such works ;

(b) Appoint fit and competent persons to carry out any work in connection with the irrigation works within the irrigation division.

Commissioner to prescribe the procedure, etc., at the meetings of the committee.

13. Upon the formation of a committee the Commissioner shall prescribe:—

(a) the procedure to be followed, and

(b) the practice to be observed, and

(c) the number of persons required to form a quorum, at the meetings thereof.

Committee to call for plans and estimates and to prepare lists.

14. The committee as soon as possible after its selection shall, (a) cause plans and estimates of the work to be made by skilled persons, and

(b) prepare a list of the names and residence of the proprietors and of the lands and extent thereof which are to be benefited or are capable of being benefited by the irrigation works,

15.—(1) The list in section 14 of this Law mentioned, when made, shall be signed by the chairman and the committee and shall be posted in a conspicuous place in the village or villages affected thereby.

List to be signed and posted.

(2) Any person who objects to such list or whose rights are affected thereby may at any time within ten days from the date on which the list has been posted as aforesaid lodge his objection in writing with the Commissioner who shall decide upon the same and such decision shall be final and conclusive unless the person making the objection within one week from the notification to him of the decision of the Commissioner applies to the Governor for revision of same.

(3) The decision of the Governor shall be final and conclusive.

(4) After all objections, if any, have been heard and determined such list shall be final and conclusive in respect of all matters therein, and a copy thereof signed by the chairman and the committee shall be kept by the Commissioner.

(5) In any proceeding in which any question may arise as to any of the contents of such list a certificate under the hand of the Commissioner shall be received in all Courts of Law as conclusive evidence of the contents thereof.

(6) The list may be amended from time to time by the committee and the procedure provided in this Law for the making of, and the objections to, the original list shall be observed in all respects for any such amendment.

16.—(1) The committee shall at a meeting convened for the purpose by the Commissioner draw up rules for carrying out the purposes for which the irrigation division has been formed under the provisions of this Law (hereinafter referred to as the Rules).

Rules.

(2) In particular and without prejudice to the generality of the foregoing power the Rules may:—

(a) Fix the period of office of the committee;

(b) Provide for the appointment of a treasurer and of such other officers as may be required and for the remuneration, if any, of such officers and prescribe the duties of such officers;