



**SUPPLEMENT No. 2**

TO

THE CYPRUS GAZETTE No. 2721 OF 28<sup>TH</sup> APRIL, 1939.  
LEGISLATION.

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**THE STATUTE LAWS OF CYPRUS**

**No. 5 OF 1939.**

A LAW TO AMEND AND CONSOLIDATE THE LAWS RELATING  
TO FORESTS IN THE COLONY.

H. R. PALMER,]

[28<sup>th</sup> April, 1939.

*Governor.*

**B**E it enacted by His Excellency the Governor and  
Commander-in-Chief of the Colony of Cyprus as  
follows:—

1. This Law may be cited as the Forest Law, 1939.
2. In this Law, unless the context otherwise requires,—  
“Assistant Conservator” includes any person who is  
for the time being lawfully discharging the duties of an  
Assistant Conservator of Forests in the Forestry  
Department;  
“cattle” includes bulls, cows, camels, donkeys, goats,  
horses, mules, oxen, pigs and sheep and the young of  
the same;  
“Conservator” means the Conservator of Forests to  
the Government;  
“Forest Officer” includes any person who is for the  
time being lawfully discharging the duties of a Forest  
Officer in the Forestry Department and any other person  
appointed by the Governor to exercise the powers  
vested in a Forest Officer under the provisions of this  
Law;

Short title.

Interpre-  
tation.

“forest produce” includes the following, when found in or brought from any Main State Forest or Minor State Forest or any forest for the time being under the protection, control and management of the Government in virtue of the provisions of section 11 :—

Timber, branches, leaves, flowers, fruits, seeds, roots, bark, charcoal, grass, creepers, plants, moss, fungus, lichens, gums, oils, resin, pitch, tar, honey, wax, humus, earth, stones, minerals and water ;

“Main State Forest” means any forest or area declared by an Order of the Governor in Council made under section 3 (1) to be a Main State Forest ;

“Minor State Forest” means any forest or area declared by an Order of the Governor in Council made under section 3 (2) to be a Minor State Forest ;

“timber” includes trees and bushes whether standing, fallen or felled, stumps of trees and any wood whether cut up or fashioned or hollowed out for any purpose.

Power to Governor in Council to declare Main State Forests and Minor State Forests.

**3.**—(1) The Governor in Council may from time to time by Order to be published in the *Gazette* declare that any forest or area specified therein shall be a Main State Forest for the purposes of this Law.

(2) The Governor in Council may from time to time by Order to be published in the *Gazette* declare that any forest or area specified therein shall be a Minor State Forest for the purposes of this Law.

Main and Minor State Forests to be the property of the Government.

**4.** All Main State Forests and Minor State Forests shall be the property of the Government.

Power to the Governor to make grants, etc., of lands within Main or Minor State Forests.

**5.** The Governor may make grants or dispositions of any land in a Main State Forest or a Minor State Forest and subject to the provisions of section 9 no title shall be held or acquired in or over a Main State Forest or a Minor State Forest except under a grant or disposition made by the Governor under this section and subject to such terms and conditions as the Governor may deem fit to impose.

Power to Conservator to issue licences in Main State Forests.

**6.**—(1) The Conservator and any person duly authorized by him in that behalf may in respect of a Main State Forest from time to time issue licences for any purpose for which a licence is required under the provisions of this Law or any regulations made thereunder and subject to the provisions of section 8 no right whatsoever shall be exercised or

acquired in or over any Main State Forest except under a licence issued by the Conservator or any person duly authorized by him in that behalf under this section and subject to such terms and conditions as the Conservator or such person as aforesaid may deem fit to impose.

- (2) A licence under sub-section (1) may—
- (a) be issued or refused at the absolute discretion of the Conservator;
  - (b) be issued to any person or persons by name or to any group or class of persons.

7.—(1) Unless otherwise provided in this Law or in any regulations made thereunder a Commissioner may in respect of any Minor State Forest situated within his district from time to time issue licences for any purpose for which a licence is required under the provisions of this Law or any regulations made thereunder and no right whatsoever shall be exercised or acquired in or over any Minor State Forest except under a licence issued by the Commissioner under this section and subject to such terms and conditions as the Commissioner may deem fit to impose.

Power to  
Commis-  
sioner to  
issue licences  
in Minor  
State  
Forests.

- (2) A licence under sub-section (1) may—
- (a) be issued or refused at the absolute discretion of the Commissioner;
  - (b) be issued to any person or persons by name or to any group or class of persons.

8.—(1) Notwithstanding anything to the contrary in this Law contained the inhabitants for the time being of each village appearing in the First Schedule may, without a licence and for their own domestic purposes but not for sale—

Privileges  
reserved to  
inhabitants  
of certain  
villages.

- (a) gather dead and dry fuel other than burned fuel, and
- (b) cut any part of the schinia bush growing above ground,

in such Main State Forest or part thereof as may be specified in respect of each such village in an Order made by the Governor in Council and published in the *Gazette* :

Provided that if at any time it is made to appear to the Governor in Council that such cutting of schinia bush or gathering of dead and dry fuel by the inhabitants for the time being of any of the aforesaid villages is likely to result in a Main State Forest or any part thereof being

denuded of schinia bush or of such fuel the Governor in Council may by Order to be published in the *Gazette* either—

- (i) prohibit absolutely such cutting of schinia bush or gathering of dead and dry fuel in such area of such Main State Forest and for such period as may be specified in the Order, or
- (ii) prohibit such cutting of schinia bush or gathering of dead and dry fuel in such area of such Main State Forest and for such period as may be specified in the Order save under the authority of a licence issued by the Conservator and subject to such terms and conditions as the Conservator may deem fit to impose.

(2) If an inhabitant for the time being of any of the villages set out in the First Schedule shall—

- (a) cut any part of a schinia bush which is growing below ground or uproot any schinia bush;
- (b) sell any dead or dry fuel or schinia bush gathered or cut in virtue of the provisions of sub-section (1);
- (c) act in contravention of an Order made by the Governor in Council under the proviso to sub-section (1) or of the terms and conditions of a licence issued by the Conservator under the authority of any such Order,

shall be guilty of an offence.

Penalty: Three months' imprisonment or twenty-five pounds fine or both.

Persons or bodies of persons affected by declarations of State Forests may petition the President of the District Court.

9.—(1) Any person or body of persons who claim that any immovable property belonging to him or them has been included in any forest or area declared to be a Main State Forest or a Minor State Forest by an Order of the Governor in Council under section 3 may, within three months from the date of the publication of such Order in the *Gazette* lodge a petition in writing in the prescribed form (hereinafter in this section called "the petition") with the President of the District Court of the District within which the immovable property in respect of which the petition is made is situate specifying the grounds upon which the petitioner relies to establish his claim.

(2) The President of the District Court upon receipt of the petition shall—

- (a) if the petition relates to a claim in respect of immovable property situate within a Main State Forest, transmit a copy thereof to the Conservator;

(b) if the petition relates to a claim in respect of immovable property situate within a Minor State Forest, transmit a copy thereof to the Commissioner of the District within which such immovable property is situate.

(3) The President of the District Court shall within two months from the date of the lodging of the petition as in sub-section (2) provided fix a date for the hearing thereof and shall cause notice therefor to be served upon the petitioner and upon the Conservator or the Commissioner, as the case may be, to whom a copy of the petition has been transmitted as in sub-section (2) provided.

(4) The procedure for the time being in force relating to the hearing of civil actions shall apply to the hearing of any petition lodged under the provisions of this section and the judgment of the President of the District Court thereon shall be final and conclusive and no appeal shall lie therefrom to the Supreme Court.

(5) If as a result of any judgment of the President of the District Court it is necessary to make any amendment to an Order made by the Governor in Council under section 3, the President of the District Court shall transmit a certified copy of such judgment to the Colonial Secretary who shall cause the same to be published in the *Gazette* and upon such publication the Order made by the Governor in Council as aforesaid shall be deemed to be amended in accordance with the terms of such judgment.

(6) Every judgment transmitted by the President of the District Court to the Colonial Secretary under sub-section (5) shall contain an accurate description of the immovable property affected thereby together with the boundaries thereof.

10. Where in the opinion of the Governor it is expedient that any immovable property in any Main State Forest or Minor State Forest should be acquired by the Government, the Governor may acquire the same by agreement with the owner or compulsorily in accordance with the provisions of the Law for the time being in force relating to the compulsory acquisition of land for public purposes.

Acquisition  
of im-  
movable  
property  
by the  
Government.

11.—(1) The owner of any forest may, with the approval of the Conservator, place it under the protection, control and management of the Government subject to such conditions as to the payment of expenses and the duration and termination of such protection, control and management as may be agreed between the owner and the Conservator.

Private  
forests may  
be placed  
under  
Government  
control.