



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 2904 OF 5TH FEBRUARY, 1941.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 3 OF 1941.

A LAW TO RESTRICT FORCED SALES OF CERTAIN CITRUS GROVES SITUATED WITHIN THE LIMITS OF THE TOWN OF FAMAGUSTA.

W. D. BATTERSHILL,
Governor.

[*5th February, 1941.*]

BE 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 Famagusta Citrus Groves Short title.
(Restriction of Sales) Law, 1941.

Interpre-
tation.

2. In this Law, unless the context otherwise requires,—

“citrus grove” means an area of land which—

(a) is fully planted with citrus trees, and

(b) is situated within the limits of the town of Famagusta, and

(c) is owned by a person whose primary means of livelihood is the growing of citrus, and includes any building, tank, well or water, erected, sunk or found in such area and registered therewith as one entity;

“creditor” means any creditor who may have a right to any part of the proceeds of sale, not being a mortgagee where the sale of the citrus grove mortgaged is made at the instance of another creditor;

“Principal Land Registry Officer” means the Commissioner of the District of Famagusta;

“reserve price” means the minimum amount which can be accepted as a first bidding and, if not exceeded, as a final bidding at a sale, by public auction carried out by or through the Land Registry Office of Famagusta, of a citrus grove.

Power to fix
reserve price.

3.—(1) Notwithstanding anything contained in the Immovable Property (Restriction of Sales) Law, 1940, and subject to the provisions of section 7, where a sale of a citrus grove—

(a) has been ordered by a judgment or is being carried out under the provisions of the Civil Procedure Laws, 1885 to 1939; or

(b) is being carried out under the provisions of the Sale of Mortgaged Property Law, 1890,

the Principal Land Registry Officer may—

(i) upon proof to his satisfaction that such immovable property is a citrus grove, and

(ii) if having regard to all the circumstances of the case considers it fair and reasonable so to do,

direct that such sale shall be carried out subject to a reserve price to be fixed by him.

(2) The reserve price fixed by the Principal Land Registry Officer shall be specified in the auction bill and no bidding for the citrus grove, to which such reserve price relates shall be accepted unless it is equal to or exceeds the reserve price.

10 of 1885
5 of 1924
15 of 1926
9 of 1929
37 of 1934
10 of 1939
13 of 1890

4. The reserve price to be fixed by the Principal Land Registry Officer shall not exceed the assessed value of the citrus grove as registered in the books of the Land Registry Office.

Method
of fixing
reserve price.

5.—(1) The Principal Land Registry Officer shall, not less than one month before the posting of the auction bill, cause the debtor and every creditor to be informed, by registered letter addressed to the last known place of residence of the debtor and of such creditor, of the reserve price and the production of the receipt of the Post Office Authorities as to the posting of such letter shall, unless the letter is returned undelivered, be deemed to be conclusive evidence that the parties concerned have been duly informed of the reserve price.

Notice to
debtor and
creditor.

(2) If a letter is returned undelivered, the Principal Land Registry Officer shall cause notice of the reserve price to be posted in a conspicuous place within the quarter of the town of Famagusta in which the citrus grove is situated and on the notice board of the Land Registry Office in the town of Famagusta and such posting shall be deemed to be conclusive evidence that the person whose letter has been returned undelivered has been duly informed of the reserve price.

6.—(1) Within three weeks from the date of the posting of the letters as in sub-section (1) of section 5 provided, application may be made to the Principal Land Registry Officer by the debtor or a creditor for a review of the reserve price :

Review of
reserve price.

Provided that any person whose letter has been returned undelivered may apply to the Principal Land Registry Officer for a review of the reserve price within one week from the date of the posting of the notices as in sub-section (2) of section 5 provided.

(2) The application as in sub-section (1) provided shall be accompanied by the local enquiry fees in force for the time being and, upon receipt of the same, the Principal Land Registry Officer shall cause a local enquiry to be made in order to ascertain the actual value of the citrus grove in respect of which the application was made.

(3) For the purposes of this section a local enquiry shall be made by such clerk of the Land Registry Office as the Principal Land Registry Officer may appoint in that behalf, in conjunction with the village authorities of the quarter of the town of Famagusta in which the citrus grove is