



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3384 OF 29TH JULY, 1948.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 23 OF 1948.

LAW TO MAKE PROVISION FOR THE SUPPLY, MAINTENANCE
AND CONTROL OF WATER SUPPLIES IN VILLAGES FOR
DOMESTIC PURPOSES.

E. ST. J. JACKSON,]

[27th July, 1948.

Officer Administering the Government.

BE it enacted by His Excellency the Officer Adminis-
tering the Government and Commander-in-Chief of
the Colony of Cyprus as follows:—

1. This Law may be cited as the Water (Domestic Short title.
Purposes) Village Supplies Law, 1948.

PART I.—PRELIMINARY.

Interpreta-
tion.

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

“Commissioner” means the Commissioner of the district in which the village is situated and includes an Assistant Commissioner ;

“the Court” means the District Court of the district in which the village is situated ;

“domestic purposes” means any purposes which, according to the ordinary habits of life, are commonly satisfied in a village home but shall not include the use of water for irrigation or for any trade, manufacture or business ;

“group of villages” means two or more villages grouped together for the purposes of this Law, by a notice of the Commissioner ;

“householder” includes every male inhabitant of the village of not less than 18 years of age whether assessed for taxation or not and every female inhabitant of a like age who is assessed for any form of taxation ;

“immovable property” includes—

(a) land ;

(b) buildings and other erections, structures or fixtures affixed to any land or to any building or other erection or structure ;

(c) trees, vines, and any other thing whatsoever planted or growing upon any land and any produce thereof before severance ;

(d) springs, wells, bores, water and water rights whether held together with, or independently of, any land ;

(e) privileges, liberties, easements and any other rights and advantages whatsoever appertaining or reputed to appertain to any land or to any building or other erection or structure ;

(f) an undivided share in any property hereinbefore set out ;

“mukhtar” means a mukhtar acting in his capacity of Chairman of the Village Water Commission ;

“village” means the village in respect of which a scheme, as in Part II of this Law provided, has been made or is proposed to be made and includes a quarter of the village and a group of villages ;

“Village Water Commission” means a Village Water Commission as constituted by section 4 of this Law ;

“Water Engineer” means the Water Engineer to the Government and includes any person authorized by him to act on his behalf for all or any of the purposes of this Law ;

“waterworks” means 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 for the storage, conveyance, supply, distribution, measurement or regulation of water which are so used or have been constructed under or for the purposes of this Law.

3. This Law shall apply only to such village as the Commissioner may declare by notice in the *Gazette* to be a village to which the provisions of this Law shall apply.

Application
of the Law.

4.—(1) In every village to which this Law is made to apply the village commission, with the mukhtar thereof as Chairman, shall be constituted as a Village Water Commission for the purposes of this Law.

Village
Water
Commission.

(2) Where in a village there is more than one village commission or where villages are grouped together for the purposes of this Law, the Village Water Commission shall consist of the mukhtar and one aza from each such village commission or of the mukhtar and one aza from each village in the group, as the case may be, to be appointed by the Commissioner, under the chairmanship of such one of the mukhtars, as the Commissioner may appoint.

(3) The mukhtar as Chairman shall duly carry out the decisions of the Village Water Commission.

5. The Village Water Commission shall, for the purposes of this Law, bear the name “Water Commission of” (inserting the name of the village).

Name of the
Village
Water
Commission.

PART II.—PREPARATION AND APPROVAL OF SCHEME.

6. Subject to the provisions of this Law, it shall be the duty of a Village Water Commission to provide an adequate supply of pure and wholesome water for the domestic purposes of the village and to maintain such supply and any waterworks connected therewith in clean and good condition and repair.

Duty of the
Village
Water
Commission
to provide
and main-
tain water
supply.

7.—(1) For the purpose of providing a supply of water for domestic purposes in any village or of extending or improving any such supply, it shall be lawful for the Commissioner at his own instance or on the application in writing of the Village Water Commission and in consultation with the Water Engineer—

Preparation
of plans, etc.

(a) to carry out a survey of the existing consumption of, and demand for, water in the village and of the water resources in or available for such village;

- (b) to prepare plans for the intended work showing in detail any immovable property which may be affected thereby or required in connection therewith ;
- (c) to prepare specifications and estimates for the intended work ;
- (d) to prepare a report on the aforesaid matters and formulate proposals for the intended work.

(2) As soon as it may be convenient after the preparation of the matters referred to in sub-section (1) of this section, the Commissioner shall call, subject to the provisions of section 8 of this Law, a public meeting of the householders as hereinafter provided, in order to determine whether the intended work shall be carried out or not.

List of house-
holders.

8.—(1) The Commissioner, before calling a public meeting, shall request in writing the mukhtar of the village to prepare a list of the householders and such mukhtar shall thereupon prepare, sign and seal such a list in duplicate and shall forward it to the Commissioner within twenty-one days from the day on which he was requested so to do.

(2) The Commissioner shall cause a copy of such list to be posted in a conspicuous place in the village and any person desiring to make any objection to the list shall apply within ten days of its posting to the Commissioner, stating the grounds of his objection.

(3) The Commissioner, after considering the objections, if any, may cause such alterations or additions to be made to the list as he shall deem necessary and thereupon such list shall be considered as a final list of the householders of the village for the purposes of the proposed public meeting ; and the Commissioner shall give written notice to every person whose name has been either added or deleted from the list.

Public
meeting of
house-
holders.

9.—(1) Upon the completion of the final list of householders as in section 8 provided, the Commissioner shall call a public meeting of such householders by causing a written notice to be posted in a conspicuous place in the village not less than fifteen days before the meeting, stating the day, time, place and object of the meeting and calling upon such householders to attend thereat either in person or by proxy appointed by an instrument certified by the mukhtar.

(2) Subject to sub-section (7) of this section, no business shall be transacted at such meeting and no decision shall be taken thereat, unless more than one half of the aggregate number of the householders of the village are present in person or are represented by proxy as hereinbefore provided.

(3) The Commissioner shall preside at such public meeting and, if any question is raised as to the right of a person to attend thereat or to vote, the Commissioner may, there and then, make such enquiry as he may deem requisite and declare whether such person has a right to attend or vote 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.

(4) The Commissioner shall lay before the householders the plans, specifications, estimates, report and proposals relating to the intended work.

(5) All questions or resolutions proposed at any public meeting shall be determined by the majority of the persons present and entitled to vote.

(6) The Commissioner shall keep or cause to be kept minutes of the proceedings of any public meeting and shall enter or cause to be entered therein the questions or resolutions proposed thereat and the number of votes given for or against them and shall, at the close of the meeting, sign the minutes and publicly declare the result of votes given.

(7) If, at any public meeting, a quorum is not present, the Commissioner may ascertain the views of the householders by calling on each one of them to state in writing whether he is in favour of the intended work or not and, if as a result of such an enquiry, more than one half of the aggregate number of the householders express themselves in favour of such work the same shall be carried out as if decided upon at a public meeting.

(8) The Commissioner may, at his discretion, adjourn any public meeting to a day and place to be publicly declared by him at the meeting and no further notice thereof shall be necessary :

Provided that no subject which was not contained in the notice convening the public meeting shall be discussed or considered at any adjourned meeting unless due notice of the subject is given as provided in sub-section (1) of this section.

10.—(1) The intended work as approved at the public meeting shall constitute a scheme (in this Law referred to as "the scheme") to be carried out under the provisions of this Law. Scheme to be carried out.

(2) The scheme shall be carried out by the Village Water Commission under the supervision of the Water Engineer.