

## No. 20 OF 1951.

A LAW TO MAKE PROVISION FOR THE CONTROL AND MANAGEMENT OF WATER SUPPLIES IN MUNICIPAL AND OTHER AREAS AND THE ESTABLISHMENT OF WATER BOARDS.

A. B. WRIGHT,  
Governor.

[22nd May, 1951.]

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 Water Supply (Municipal and Other Areas) Law, 1951. Short title.

## PART I.—PRELIMINARY.

Interpreta-  
tion.

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

“ area of supply ” means any area within which a Board is authorized to supply water under the provisions of this Law ;

“ Board ” means a Water Board established under this Law ;

“ 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 ;

“ municipal corporation ” means a corporation established under the Municipal Corporations Laws, 1930 to 1950, or any Law amending or substituted for the same ;

“ water ” means water intended for any domestic purpose but does not include water for irrigation :

Provided that, for the purposes of and in matters connected with the compulsory acquisition of immovable property, waterworks and undertakings under this Law, it shall include water for any purpose whatsoever ;

“ water undertaker ” means any company, partnership, board, committee or other person supplying water within the area of supply ;

“ 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, instruments, fittings or appliances used or constructed for the storage, conveyance, treatment, supply, distribution, measurement or regulation of water which are so used or have been constructed under or for the purposes of this Law.

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## PART II.—AREAS OF SUPPLIES AND BOARDS.

3.—(1) If, with respect to any area in the Colony, including an area within the limits of a municipal corporation, the Governor in Council is satisfied that the provision of water supplies for such area or the conservation of water resources for the purpose of such provision may be thereby more effectively secured, he may, by order, declare such area as an area of supply for the purposes of this Law and establish for such area a Board to perform duties and exercise powers as in this Law provided :

Areas of  
supplies and  
Boards.

Provided that, where the proposed area of supply includes the limits of a municipal corporation in whole or in part, no order shall be made under this sub-section, except with the consent of the council of the municipal corporation concerned.

(2) Any order made under this section may contain such incidental, consequential and supplementary provisions, as the Governor in Council may consider necessary or expedient for the effective carrying out of the order.

4. A Board shall consist of—

- (a) not more than three persons appointed by the Governor to hold office for four years from the date of their appointment, unless their appointment is previously terminated by the Governor; and
- (b) where the area of supply or any part thereof is within the limits of a municipal corporation, not more than three other persons nominated by the council of such corporation to hold office during the duration of the council by which they are nominated,

Constitu-  
tion of  
Boards.

one of whom shall be designated by the Governor as Chairman.

5. A Board, established under the provisions of this Law, shall be a body corporate by the name of "Water Board of \_\_\_\_\_" (inserting a name indicating the area of supply) and by that name shall have perpetual succession and a corporate seal, in such form as may be approved by the Governor, with power to hold property, to enter into contracts, to institute and defend suits and other legal proceedings, and, generally, to do all things as may be necessary for the purpose of its establishment.

Board to be  
a body  
corporate.

6.—(1) From and after the date of the establishment of a Board in an area of supply but subject to the provisions of section 7, no person shall convey or bring into the area of supply any water or shall operate as a water undertaker

Prohibition  
of convey-  
ance, etc.,  
of water  
into areas  
of supply.

save under a permit from the Board and subject to such terms and conditions as to the Board may seem necessary or desirable to impose.

(2) Any person who acts in contravention of sub-section (1) shall be guilty of an offence and shall be liable to imprisonment not exceeding one year or to a fine not exceeding one hundred pounds or to both such imprisonment and fine and any waterworks, other than waterworks consisting of immovable property, used in connection with the water in respect of which the offence was committed shall be forfeited.

Registration  
of existing  
water under-  
takers.

7.—(1) A water undertaker operating in an area of supply on the date of the establishment of a Board in respect of such area may continue to operate for one month after the establishment of the Board in that area but, if he desires to continue operating as such undertaker thereafter, he shall, within the aforesaid period of one month, complete and deliver to the Chairman of the Board a declaration in the form set out in the First Schedule containing the particulars required thereunder.

First  
Schedule.

(2) Upon receipt of the declaration, the Board, if satisfied that the declarant was actually operating as a water undertaker on the aforementioned date, shall register him in a book to be kept for the purpose and issue to him a certificate of registration in such form as the Board may prescribe, which shall entitle such water undertaker, subject to the provisions of this Law, to continue to operate as such undertaker without any further permit.

(3) If any dispute arises as to whether a declarant was or was not a water undertaker actually operating on the date of the establishment of the Board, such dispute shall be referred by the Board to the Colonial Secretary, whose decision thereon shall be binding and conclusive on all parties.

(4) Any person who, in any declaration delivered to the Board as in sub-section (1) provided, knowingly makes a statement which is untrue or incorrect shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding three months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine.

*mainly for  
corrected. Referendum*

Supply of  
water in  
municipal  
areas to be  
undertaken  
by the Board

8.—(1) On the establishment of a Board in an area of supply which includes the limits of a municipal corporation in whole or in part—

(a) the council of such corporation shall cease to perform and exercise any duties or powers with regard to the supply of water therein and, thereafter, the Board shall discharge all functions in connection therewith in accordance with the

provisions of this Law and, for this purpose, paragraph (*dd*) of sub-section (1) of section 115 of the Municipal Corporations Laws, 1930 to 1950, shall be suspended in so far as it applies to the municipal corporation affected by the order declaring the area of supply ;

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- (b) all movable and immovable property including all waterworks and assets of the council of such corporation relating to the supply of water within the area of supply shall be transferred to, and vest in, the Board without any conveyance, assignment or transfer and without payment of any compensation whatsoever ;
- (c) all loans contracted and all debts and liabilities of the council of such corporation relating to the supply of water by such council shall be undertaken, and shall be deemed to be loans contracted and debts and liabilities incurred, by the Board.

(2) Nothing in sub-section (1) shall affect the rights of any creditor in respect of any loan, debt or liability contracted or incurred by the council of a municipal corporation to which such sub-section applies :

Provided that the Board shall indemnify and keep such council indemnified against any demand, claim, action or judgment made in connection therewith.

9.—(1) The Chairman of a Board may, whenever he thinks fit, and shall on a requisition by not less than two members thereof, convene a meeting of the Board :

Meetings of  
Boards.

Provided that the meeting in case of requisition shall be held not later than fourteen days from the date of the receipt of such requisition and on a prior seven days' notice.

(2) The meetings of the Board shall be held at such time and place as the Chairman may, from time to time, appoint.

(3) Save as in this Law otherwise provided, no business shall be transacted at any meeting of the Board, unless three members, at least, are present ; if, on the second successive summons, three members are not present at the time and place appointed for the meeting, the Board may proceed with business if two members only are present.

(4) If, when any meeting is held, the Chairman is absent from the meeting, the members present shall elect one of the members to preside at the meeting.

(5) All questions coming before the Board shall be decided by majority of the members present and, in case