



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3683 OF 16TH APRIL, 1953.

LEGISLATION.

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THE STATUTE LAWS OF CYPRUS

No. 14 OF 1953.

A LAW TO CONSOLIDATE AND AMEND THE LAW RELATING TO  
MINES AND QUARRIES.

A. B. WRIGHT,  
*Governor.*

[10th April, 1953.]

**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 Mines and Quarries Short title,  
(Regulation) Law, 1953.

## PART I.—PRELIMINARY.

Interpreta-  
tion.

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

“ Court ” means the District Court of the district in which the land is situate ;

“ Crown land ” includes any land either vested in the Crown, or owned, held and enjoyed by the Crown as Crown property ;

“ Director ” means the Director of Land Registration and Surveys and includes any officer of his Department nominated by the Director for any of the purposes of this Law ;

“ land ” includes any building or other structure or erection on any land, or any trees or other thing whatsoever planted or growing upon any land and any produce thereof before severance, or any water, or any right, interest, privilege, liberty or easement in, to or over any land or anything standing or flowing thereon or thereunder ;

“ mine ” includes any place, excavation or working whereon, wherein or whereby any operation in connection with mining is carried on ;

“ mineral oil ” includes pitch, asphalt and natural gas ;

“ minerals ” includes all materials of economic value forming part of, or derived naturally from, the crust of the earth including mineral oil, but not minerals whilst in solution or peat, trees, timber and similar kinds of forest produce or any quarry materials ;

“ mining ” means any operation of obtaining or extracting any minerals by any mode or method, or any purpose directly or indirectly connected therewith or incidental thereto ;

“ owner ”, as applied to land, means the person entitled to be registered as the owner whether he is so registered or not ;

“ pollute ” and “ pollution ” include any contamination with any chemical or any other substance in such a quantity as to be injurious to any human, animal or vegetable life ;

“ private land ” means any land which is owned, held and enjoyed as private property and includes any land which is held or enjoyed as the communal property of a town, village or quarter ;

“ prospect ” and “ prospecting ” include all operations connected with the search for minerals or quarry materials and reasonably necessary to enable the prospector to ascertain the mining or quarrying potentialities of the land ;

“quarry” means any area excavated for the purpose of obtaining any quarry material ;

“quarrying” means any operation of obtaining or extracting any quarry materials by any mode or method ;

“quarry materials” means sand, stone, slate, granite, or other rocks, chalk, clay, flint, gravel, gypsum, limestone, marble, marl and quartz.

## PART II.—GENERAL PROVISIONS.

3.—(1) Subject to the provisions of sub-section (2), the ownership in, and control of, all minerals and quarry materials in the Colony shall vest in the Crown.

Ownership of minerals and quarry materials.

(2) The ownership of minerals and quarry materials in, upon or under any land which lies within the areas specified on the survey map signed by the Director and deposited in the Land Registry Office in accordance with the proviso to sub-section (1) of section 4 of the Immovable Property (Tenure, Registration and Valuation) Law, shall vest in the owner of the land.

Cap. 231.  
8 of 1953.

4. Except as in this Law provided, no person shall carry out any prospecting, mining or quarrying on any land in the Colony.

Prohibition of prospecting, mining or quarrying.

5. Nothing in this Law contained shall be construed so as to confer any right to prospect for, or to mine, any mineral oil or radio-active mineral.

Law does not apply to mineral oils, etc.

6.—(1) When the holder of a permit, licence or lease, granted under the provisions of this Law, is a person not personally resident in the Colony or a company not having its head office in the Colony, such holder shall appoint and shall at all times have an attorney resident in the Colony with full powers to represent the holder in all matters relating to his permit or lease except the surrender thereof and shall, as soon as possible after making such appointment or any change in such appointment, send to the Inspector of Mines a copy of the power of attorney and of any document by which such power of attorney is altered.

Holder of prospecting permit, etc., not resident in the Colony.

(2) Should the holder of a permit, licence or lease, granted under the provisions of this Law, fail either to appoint an attorney or to confer adequate powers upon the attorney as provided in sub-section (1) the Governor may, by a notice published in the *Gazette*, prohibit the continuance of prospecting, quarrying or mining in the area comprised within the permit, licence or lease,

(3) If no copy of a valid power of attorney conferring adequate powers on the attorney is received by the Inspector of Mines within three months of the publication of the notice mentioned in sub-section (2) the Governor may, by a further notice published in the *Gazette*, revoke the permit, licence or lease.

Plans of prospecting, mining and quarrying operations.

7. Every holder of a prospecting permit, a mining lease or a quarry licence shall at all times keep correct plans of all prospecting, mining or quarrying done, and correct records of all mineral values found, and ore reserves calculated, on the area of his permit, lease or licence, and shall supply to the Inspector of Mines on request, copies of such plans and records.

Capital.

8.—(1) The Governor may require an applicant for a prospecting permit, mining lease or quarry licence to show to his satisfaction that he commands sufficient working capital to ensure the proper prospecting, development or working, as the case may be, of the area applied for and may require the applicant to furnish a banker's guarantee for such amount as may be determined.

(2) The Governor may require any reports on the area of a mining lease or quarry licence made by prospectors, lessees or engineers to be submitted for his information.

(3) If any person makes default in complying with any requirement imposed under sub-section (2) he shall be liable to a fine not exceeding five pounds for every day during which the default continues.

Lands excluded from prospecting, mining and quarrying.

9.—(1) No prospecting permit, mining lease, quarry permit or quarry licence granted under this Law shall authorize prospecting, mining or quarrying on or in, or the erection of beacons on, or the occupation of, any of the following lands :—

(a) land set apart or used for, appropriated or dedicated to, any public purpose, except with the consent of the Governor and subject to such conditions as the Governor may impose ;

(b) private land except with the consent of the owner ;

(c) land used as a Government station, market, burial ground or cemetery or land appropriated for any railway or situate within one hundred yards of any railway except with the prior consent in writing of the Governor and subject to such conditions as the Governor may impose ;

(d) land which is the site of, or is within fifty yards of, any Government or public building, reservoir, dam

or public road without the prior consent in writing of the Governor and subject to such conditions as the Governor may impose ;

- (e) land which is the site of, or is within fifty yards of, any building without the consent of the occupier of the building :

Provided that if the consent required under paragraph (b) is unreasonably withheld, or it is impossible or impracticable to be obtained, the provisions of sub-section (2) of section 13 or sub-sections (3), (4) and (8) of section 25, as the case may be, shall apply :

Provided further that, if the Governor shall be satisfied that the consent required under paragraph (e) is unreasonably withheld, the Governor may authorize the holder of the permit, lease or licence to prospect, mine or quarry on or in any such land subject to such conditions as the Governor may impose.

(2) Any person prospecting, mining or quarrying on or under any lands specified in sub-section (1) without the requisite consent or authority shall be guilty of an offence.

10. All minerals or quarry materials obtained in the course of any prospecting, mining or quarrying shall be liable to such royalties as may be prescribed :

Provided that no royalty shall be payable on any mineral or quarry material sample certified by the Inspector of Mines as being exported solely for the purpose of analysis or experiments or as a scientific specimen and not being a greater quantity than in his opinion is necessary for such purpose.

### PART III.—PROSPECTING.

11. Prospecting shall be lawful under a prospecting permit granted by the Governor under the provisions of this Part :

Provided that the Governor may, by notice in the *Gazette*, prohibit prospecting for any specified mineral or quarry material and in such case a prospecting permit, whether granted before or after such notice, shall not authorize the holder thereof to prospect for such mineral or quarry material, unless the contrary is expressly provided in the permit.

12.—(1) The Governor may grant to any person applying therefor in the prescribed manner and on payment of the prescribed fees a prospecting permit.

(2) A prospecting permit shall be in the prescribed form and shall be subject to such terms and conditions as the Governor may determine.

(3) A prospecting permit shall not be transferable and any right or interest conferred thereby shall not be assignable except with the previous consent of the Governor.