

immovable property as aforesaid shall be deemed to be revoked :

Provided that where the property to be acquired is charged with the payment of any money, the sum agreed or determined to be paid, as the case may be, for the acquisition thereof, shall be deposited in the Land Registry Office to be paid out to the persons in whose favour such charges operate in satisfaction in whole or in part of the sums due to them, in accordance with their respective priorities as on the day of the deposit of the money, any balance being paid to the owner of the property to be acquired :

Provided further that, if the immovable property to be acquired is subject to any lease, the Court may, on the application of the lessee of the property made before the payment or deposit of the money agreed or determined to be paid as compensation for the acquisition thereof, direct that there shall be paid to him such portion of that sum as shall, in the opinion of the Court, be sufficient to compensate him in respect of the determination of his tenancy.

(5A) On payment or deposit with the Accountant-General or the Land Registry Office of the sum agreed or determined to be paid as compensation for the acquisition of such immovable property, as in sub-section (5) of this section provided, such immovable property shall vest in the Board free from all encumbrances and the Director of Land Registration and Surveys shall cause registration of such immovable property to be made in the name of such Board in accordance with the plan approved by the Governor."

J. FLETCHER-COOKE,
Colonial Secretary.

30th September, 1953.

NO. 32 OF 1953. *J 23/57*

A LAW TO PROVIDE FOR THE NOTIFICATION OF ACCIDENTS AND OCCUPATIONAL DISEASES.

A. B. WRIGHT,
Governor.

[30th September, 1953.]

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 Accidents and Occupational Diseases (Notification) Law, 1953. Short title.

Interpreta-
tion.

2. In this Law, unless the context otherwise requires—
“Commissioner” means the Commissioner of Labour and includes the Assistant Commissioner of Labour ;

“employer” includes any body of persons corporate or unincorporate and the legal personal representative of a deceased employer, and, where the services of a worker are temporarily lent or let on hire to another person by the person with whom the worker has entered into a contract of service or apprenticeship, the latter shall, for the purposes of this Law, be deemed to continue to be the employer of the worker whilst he is working for that other person. In relation to a person who is a member of a registered co-operative society and engaged in work carried out by that co-operative society, the co-operative society shall, for the purposes of this Law, be deemed to be the employer notwithstanding that such person is remunerated in whole or in part by shares in the profits or gross earnings of the co-operative society ; and in relation to a person plying for hire with any vehicle or vessel the use of which is obtained by that person under a contract of bailment, the person from whom the use of the vessel or vehicle is so obtained shall, for the purposes of this Law, be deemed to be the employer ; and in relation to a person employed for the purposes of any game or recreation and engaged or paid through a club, the manager or members of the managing committee of the club shall, for the purposes of this Law, be deemed to be the employer ;

“Inspector” means an inspector of the Labour Department in charge of the area within which the accident occurs or where the worker is employed ;

“occupational disease” means any disease mentioned in the First Schedule ;

“mine” has the meaning assigned to it by section 2 of the Mines and Quarries (Regulation) Law, 1953 ;

“outworker” means a person to whom articles or materials are given out to be made up, cleaned, washed, altered, ornamented, finished or repaired, or adapted for sale in his own home or on other premises not under the control or management of the person who gave out the materials or articles ;

“quarry” has the meaning assigned to it by section 2 of the Mines and Quarries (Regulation) Law, 1953 ;

“worker” means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether by way of manual labour, clerical work or otherwise, and whether the contract is expressed or implied, is oral or in writing, and includes a person who is a member of a registered co-operative society and engaged

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in work carried out by that co-operative society notwithstanding that such person is remunerated in whole or in part by shares in the profits or gross earnings of such co-operative society, but does not include—

- (a) an outworker ;
- (b) a person whose employment is of a casual nature and who is employed otherwise than for the purposes of the employer's trade, occupation or business ; or
- (c) a domestic servant employed in a private dwelling house.

3.—(1) Where any accident arising out of and in the course of the employment of any worker occurs and Notification of accidents.

- (a) causes loss of life to such worker ; or
- (b) disables such worker, for more than three days, from earning full wages at the work at which he was employed at the time of such accident, or, in the case of a worker who is a member of and employed by a registered co-operative society and who does not work for wages but is remunerated in whole or in part by shares in the profits or gross earnings of the co-operative society, disables such worker for more than three days, from performing the work at which he was employed at the time of such accident,

written notice of the accident, in the form, and accompanied by the particulars, set out in the Second Schedule shall forthwith be sent by the employer to the Inspector. Second Schedule.

(2) For the purposes of paragraph (b) of sub-section (1), "worker" shall not include a person employed at a mine or quarry.

(3) Where any accident causing disablement has been notified under this section, and after such notification the accident results in the death of the person disabled, notice in writing of the death shall be sent by the employer to the Inspector as soon as the fact of the death comes to the knowledge of the employer.

(4) Any employer who fails to comply with the requirements of sub-section (1) or sub-section (3) shall be guilty of an offence against this Law.

(5) Where any accident to which this section applies occurs to a worker whose services are for the time being temporarily lent or let on hire to another person by the employer, such other person shall, if he fails to report the accident to the employer immediately, be guilty of an offence against this Law, and the employer shall not be liable under the provisions of sub-section (4) unless it is established that he knew of the accident.

(6) Without prejudice to the requirements of paragraph (a) of sub-section (1), when the death of a worker from any cause whatever is brought to the notice of, or comes to the knowledge of, his employer, his employer shall, as soon as practicable after the occurrence of the death, give notice in writing thereof to the Inspector of the area in which the worker was employed together with a description of the circumstances of the death of the worker if they are known to the employer and a medical certificate as to the cause of death if procurable.

(7) Any employer who fails to comply with the requirements of sub-section (6) without reasonable cause shall be guilty of an offence and shall be liable to a fine not exceeding fifty pounds.

Power to extend to dangerous occurrences provisions as to notification of accidents.

4. If the Governor in Council considers that, by reason of the risk of serious bodily injury to workers, it is expedient that notice should be given in every case of any special class of explosion, fire, collapse of buildings, accidents to machinery or plant, or other occurrences in places where workers are employed, he may, by Order, extend the provisions of section 3 with such adaptations as may be specified in the Order to any such class of occurrences, whether death or disablement is caused or not, and may by any such Order allow the required notice of any occurrence to which the Order relates, instead of being sent forthwith, to be sent within the time limited by the Order.

Notification of occupational diseases and other diseases.

5.—(1) Every qualified medical practitioner attending on or called in to visit a patient whom he believes to be suffering from any occupational disease contracted in the course of his employment as a worker shall, unless such a notice has been previously sent, forthwith send, addressed to the Commissioner, a notice stating the name and full postal address of the patient and the disease from which, in the opinion of such medical practitioner, the patient is suffering, and the name and address of the place at which, and of the employer by whom, he is or was last employed.

(2) If any qualified medical practitioner fails to send any notice in accordance with the requirements of this section, he shall be guilty of an offence against this Law, and liable to a fine not exceeding ten pounds.

(3) Any employer who believes or suspects, or has reasonable grounds for believing or suspecting, that a case of occupational disease has occurred among the workers employed by him, shall forthwith send written notice of such case, in the form, and accompanied by the particulars, set out in the Third Schedule, to the Inspector and to the Medical Officer of the area within which the place of employment of such workers is situated, and the provisions of this Law with

Third Schedule.

respect to the notification of accidents shall apply to any such case in like manner as to any such accident as is mentioned in these provisions.

(4) The Governor in Council may, as respects any class or description of place where workers are employed, by Regulations made under this Law, apply the provisions of this section to any disease, other than an occupational disease.

6.—(1) Where a coroner holds an inquest on the body of any person whose death may have been caused by any accident or disease of which notice is required by this Law to be given, the coroner shall adjourn the inquest unless an Inspector or some person authorized on behalf of the Commissioner is present to watch the proceedings, and shall, at least four days before holding the adjourned inquest, send to the Inspector for the area within which the inquest is held, notice in writing of the time and place of holding the adjourned inquest :

Inquest in case of death by accident or occupational disease.

Provided that the coroner, before the adjournment, may take evidence to identify the body, and may order the interment thereof.

(2) With respect to any such inquest as aforesaid the following persons, that is to say—

- (a) any Inspector ;
- (b) the Inspector of Mines or his representative ;
- (c) any relation of the person in respect of whose death the inquest is being held ;
- (d) the employer in whose employment the accident or disease occurred or was contracted ;
- (e) any person appointed in writing by the majority of the workers employed in the place of employment in which the deceased was employed ;
- (f) any person appointed in writing by any organization of workers or other association of persons to which the deceased at the time of his death belonged or to which any worker employed in the said place of employment belongs ;
- (g) any association of employers of which the said employer is a member,

shall, subject to the power of the coroner to disallow any question which in his opinion is not relevant or is otherwise not a proper question, be entitled to examine any witness either in person or by an advocate or agent.

(3) Where at any such inquest at which an Inspector is not present evidence is given of any neglect as having caused or contributed to the accident or disease, or of any defect in or about the place of employment appearing to the coroner