



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3747 OF 4TH MARCH, 1954.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 13 of 1954.

**A LAW TO AMEND AND CONSOLIDATE THE LAW CONTROLLING
AND RELATING TO RENT AND MATTERS INCIDENTAL THERETO.**

R. P. ARMITAGE,]

[3rd March, 1954.

Governor.

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 Rent (Control) Law, 1954. Short title

PART I.—PRELIMINARY.

Interpreta-
tion.

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

“ Board ” means the Rent Assessment Board established under this Law for the rent restriction area in which any premises in question are situate ;

“ business premises ” means any premises let for any business, trade or professional purposes and used as such ;

“ dwelling-house ” means a building or part of a building, let as a separate dwelling and used wholly or chiefly as such ;

“ landlord ” includes, in relation to any premises, any person, other than the tenant, who is or would be, but for the provisions of this Law, entitled to possession of the premises, and in case of sub-tenancy a tenant who sublets the premises or any part thereof ;

“ prescribed date ” means the date prescribed under sub-section (3) of section 3 ;

“ premises ” includes any dwelling-house and business premises ;

“ rent ” includes any sum paid as rent or hire for the use of furniture where premises are let furnished or where premises are let and furniture therein is hired by the landlord to the tenant :

Provided that this interpretation shall not apply to any agreement for the letting and hiring of furnished rooms with board ;

“ rent restriction area ” means any area in the Colony declared as such by an Order of the Governor-in-Council ;

“ standard rent ” means—

(a) the rent at which the premises were let on the prescribed date :

Provided that where, in any agreement or lease entered into before the prescribed date, there is a provision for an increase in rent during the term of the agreement or lease, “ standard rent ” means such agreed increased rent from the date at which the increase is agreed to take effect ;

(b) where the premises were in existence but were not let on the prescribed date and were subsequently let, or where the premises were, or are, erected after the prescribed date, a rent to be assessed by the Board :

Provided that, in respect of a rent restriction area deemed to have been declared as such under the proviso to sub-section (1) of section 3, “ standard rent ” shall mean the rent of the premises as at the first day of March, 1941, or in the

case of premises which were then unlet, unoccupied or unbuilt, the rent at which the premises were first let after the first day of March, 1941, and, if not so let, the rent which, in the absence of agreement, may be fixed, by the Board ;

“ statutory tenant ” means a tenant who, at the expiration or determination of his tenancy continues to be in possession of the premises ;

“ tenancy ” means any lease, demise, letting or holding of premises whether in writing or otherwise, by virtue whereof the relationship of landlord and tenant is created, but does not include the letting or hiring of furnished rooms with board ;

“ tenant ” means the tenant of premises in respect of which a tenancy exists and includes—

(a) a statutory tenant ;

(b) any sub-tenant and any other person deriving a right from the original tenant or sub-tenant to possess the premises ;

(c) the widow of a tenant who was residing with him at the time of his death, or, where a tenant leaves no widow or is a woman, such member of the tenant's family as was residing with the tenant for not less than six months immediately before the death of the tenant as may be decided, in default of agreement, by the Court trying the case.

3.—(1) Whenever it appears to the Governor in Council, for the well-being of the community, to be necessary or expedient for the purpose of securing the availability of premises at equitable rents and the security of the possession thereof, or where the public interest otherwise so requires, the Governor in Council may by Order (hereinafter referred to as “ the Control Order ”), declare any area in the Colony as a rent restriction area and thereupon the provisions of this Law shall apply to any premises within such area :

Application
of Law.

Provided that any rent restriction area existing at the time of the coming into operation of this Law shall be deemed to be a rent restriction area declared on such date under this sub-section.

(2) The Governor in Council may, by a notification in the *Gazette*, exempt or except any premises or class or group of premises within a rent restriction area from the operation of this Law either absolutely or conditionally :

Provided that any premises within a rent restriction area exempted or excepted by the Governor in Council under the provisions of the Law hereby repealed shall be deemed to have been exempted or excepted under this sub-section.

(3) The Governor in Council, on making a Control Order or at any time thereafter, may prescribe a date, as the material date for the determination of the standard rent.

(4) The Governor in Council may, if satisfied that the circumstances which led to the making of a Control Order have ceased to exist or that public interest otherwise so requires, cancel such Order and upon such cancellation the provisions of this Law shall, subject to any conditions which may be inserted in such Order, cease to apply to such area.

PART II.—RENT AND PREMISES.

Restriction
on increasing
rent.

4.—(1) Save as hereinafter in this Law provided, it shall be unlawful for any landlord to increase or attempt to increase or to receive or recover a rent in respect of any tenancy of premises, to which this Law applies, in excess of the rent fixed by an order of the Board, or if no order has been made in excess of the standard rent.

(2) Where as a result of any transfer to a tenant of any burden or liability previously borne by the landlord, the terms on which premises, within a rent restriction area, are held are on the whole less favourable to the tenant than the previous terms, the rent shall be deemed to be increased whether or not the sum periodically payable by way of rent is increased.

(3) A tenant who has paid his landlord a sum in excess of the rent which may lawfully be received under the provisions of this section may recover such sum from the landlord.

Charging,
etc., of
premium,
etc.,
prohibited.

5.—(1) No person shall—

(a) as a condition of the grant, renewal, transfer or continuance of a tenancy of premises, to which this Law applies, require the payment of any fine, premium or other like sum or the giving of any other valuable consideration in addition to the rent;

(b) as a condition of giving up possession of any premises, to which this Law applies, ask or receive from any person the payment of any sum or the giving of any valuable consideration,

and any sum or other valuable consideration paid or given in contravention of the provisions of this sub-section shall be recoverable by the person by whom it was paid or given.

(2) Any person who contravenes the provisions of sub-section (1) shall be guilty of an offence and shall be liable on conviction by a President, District Court or District Judge to a fine not exceeding one hundred pounds and for a second or subsequent offence shall be liable to a fine not exceeding two hundred pounds:

Provided that no proceedings shall be taken under this sub-section without the previous consent in writing of the Attorney-General.

6. A landlord of premises, to which this Law applies, shall on being requested in writing by his tenant, supply him with a statement in writing specifying the standard rent of the premises and if without reasonable excuse he fails within fourteen days to do so, or supplies a statement which is false in any material particular, he shall be guilty of an offence and shall be liable to a fine not exceeding twenty-five pounds.

Statement of
standard rent
to be
supplied by
landlord.

7.—(1) A landlord may increase the rent of premises, to which this Law applies, only as follows :—

Permitted
increase of
rent.

- (a) where the landlord has since the date of the Control Order incurred expenditure on the improvement or structural alterations of the premises (not including expenditure on re-decoration or repairs, whether structural repairs or not) by an amount calculated at a rate per annum not exceeding ten per centum of the expenditure so incurred :

Provided that in respect of rent restriction areas deemed to be declared as such under the proviso to sub-section (1) of section 3, such date shall be the first day of March, 1941 ;

- (b) (i) where immovable property tax and rates payable by the landlord have increased since the premises were let to the tenant, by an amount of such increase ; or
(ii) where rates payable by the landlord have become payable since the premises were let to the tenant, by the amount of such rates ;
(c) by an amount representing such percentage as may be fixed from time to time by the Governor in Council.

(2) Notwithstanding anything in sub-section (1) contained, in the case of premises, to which this Law applies, situated within a rent restriction area deemed to have been declared as such under the proviso to sub-section (1) of section 3, a landlord may, as from the date of the coming into operation of this Law, and in addition to any increase provided in paragraphs (a) and (b) of sub-section (1) but in lieu of the increase provided in paragraph (c) thereof, increase the rent by any amount agreed upon between himself and the tenant, or failing such agreement, by an amount not exceeding one hundred per centum in the case of dwelling-houses and two hundred and seventy-five per centum in the case of business premises :

Provided that the Governor-in-Council may at any time vary the rate of increase provided by this sub-section :