



SUPPLEMENT No. 3
TO
THE CYPRUS GAZETTE No. 3956 OF 5TH JULY, 1956.
SUBSIDIARY LEGISLATION.

No. 622.

**THE IMMOVABLE PROPERTY (TENURE, REGISTRATION
AND VALUATION) LAW.**

CAP. 231 AND LAWS 8 OF 1953 AND 4 OF 1954.

RULES OF COURT MADE UNDER SECTION 80.

JOHN HARDING,
Governor.

In exercise of the powers vested in me by section 80 of the Immovable Property (Tenure, Registration and Valuation) Law, I, the Governor, with the advice and assistance of the Chief Justice, do hereby make the following Rules :—

Cap. 231,
8 of 1953
4 of 1954

PRELIMINARY.

1. These Rules may be cited as the Immovable Property (Tenure, Registration and Valuation) Rules, 1956. Citation.

2.—(1) In these Rules, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say :— Inter-pretation.

“ Civil Procedure Rules ” means the Civil Procedure Rules or any rules amending or substituted for the same ; S.L. Vol II,
page 124.

“ the Court ” means the District Court of the district in which the immovable property is situate or any member thereof having jurisdiction ; Gazettes :
Supplement
No. 3 :

“ Director ” means the Director of Lands and Surveys, and includes any officer duly appointed by him for all or any of the purposes of these Rules either generally or for any particular purpose ; 20.5.1954
21.6.1956

“ the Law ” means the Immovable Property (Tenure, Registration and Valuation) Law ; Cap. 231
8 of 1953
4 of 1954

“ office copy ” means a sealed copy or translation of any document lodged, filed or kept in, or issued out of a court registry, certified to be a true copy or translation by the Registrar of that registry ;

“ Registrar ” means the Registrar of the Court and includes a Senior Registrar or an Assistant Registrar attached to such Court.

(2) A Form referred to by number means the Form so numbered in the Appendix to these Rules.

(3) The Interpretation Law shall apply to the interpretation of these Rules as it applies to the interpretation of a law. Cap. 1.

PART I.—PROCEEDINGS IN THE DISTRICT COURT.

Proceedings
by action.

3. An application to the Court under sub-section (1) of section 45 and sub-section (3) of section 48 of the Law, for a declaration that the objector is the person entitled to registration, shall be by way of action, and the Civil Procedure Rules shall apply :

Provided that the Director shall not be made a party to the proceedings, but the objector shall cause an office copy of the writ of summons to be served on the Director for his information.

Ex parte
applications.

4.—(1) The following applications to the Court may be made *ex parte*—

(a) under paragraph (a) of the second proviso to sub-section (1) of section 72 of the Law, for directions as to the mode of service on a person under disability who has no guardian ; and

(b) under the proviso to section 73 of the Law, for directions as to the payment out of Court of compensation or any other sum paid into Court.

(2) Applications made *ex parte* shall be in Form 1, and shall be supported by affidavit or affidavits of the facts relied upon.

(3) The Court dealing with an application made *ex parte* may direct that notice thereof shall be given to such persons as the Court may think fit.

Proceedings
by summons.

5.—(1) Except as hereinbefore in these Rules or by Law otherwise expressed, all appeals and applications to the Court under the Law shall be made by summons in Form 2, with such variations as circumstances may require, and shall be supported by affidavit or affidavits of the facts relied upon, and filed with the Registrar together with a copy of the Director's order, notice or decision appealed against.

(2) All interested parties shall be joined as parties to the proceedings : Provided that, unless otherwise directed by the Court, the Director shall not be joined as a party except in proceedings under sections 44, 44A, 58, 59, 68, 69 and 69A of the Law.

(3) Where the Director is not a party to the proceedings, the applicant shall, nevertheless, cause an office copy of the summons (Form 2) to be served on him.

Director's
reasons for
decision.

6.—(1) The Director shall, when so requested by a person aggrieved by any order, notice or decision of the Director made or given under the provisions of the Law, who signifies his intention to appeal against such order, notice or decision, furnish such person with a statement of his reasons therefor, which statement shall be filed with the Registrar together with the summons (Form 2).

(2) Where an office copy of the summons (Form 2) is served on the Director under the provisions of Rule 5, he shall, within fourteen days after the date of such service, file with the Registrar a statement of his reasons for the order, notice or decision appealed against, unless he shall have previously supplied such statement to the person aggrieved under the provisions of paragraph (1) of this rule : Provided that the Director may, within the aforesaid period of fourteen days, apply to the Court *ex parte* for an extension of time, and shall forthwith give notice of any extension allowed by the Court to all parties to the proceedings.

(3) On filing his statement of reasons with the Registrar, the Director shall leave, for each party to the proceedings, a copy thereof for service plus a duplicate of such copy for the affidavit of service.

Grounds of
appeal, etc.

7. Every summons (Form 2) originating an appeal or application under these rules shall state the grounds of such appeal or application. No grounds other than those so stated shall (except with the leave of the Court hearing the appeal or application and on such terms as the Court may think just) be allowed to be taken by the applicant at the hearing of the appeal or application.