

No. 150. The Municipal Corporations Laws, 1930 and 1934.

NOTIFICATION UNDER SECTION 121.

Whereas the property described in the Schedule hereto is required by the Mayor, Deputy Mayor, Councillors and Townsmen of Famagusta (hereinafter referred to as "the Municipal Corporation") for the public purpose of widening a street :

And whereas the formalities prescribed by sections 119 and 120 of the Municipal Corporations Laws, 1930 and 1934, have been complied with :

And whereas His Excellency the Governor has approved of the plan submitted in that behalf and considers it expedient, having regard to all the circumstances, that the Municipal Corporation should be permitted to acquire the said property for the above public purpose :

Now, therefore, in exercise of the powers vested in him by section 121 of the Municipal Corporations Laws, 1930 and 1934, His Excellency the Governor has been pleased to sanction and hereby sanctions the acquisition of the property described in the Schedule hereto by the Municipal Corporation.

SCHEDULE.

Name of Proprietor	No. and date of Registration	Nature of Property	Block & Plot No.	Boundaries as per Registration	Portion to be acquired
Kyriakou Kyriakidou of Varosha.	4359, Varosha Qr., Famagusta, of 18th March, 1937.	House of three rooms, one verandah, one kitchen, one W.C. and yard, 1742 sq. ft.	Block "D", Varosha Qr., plot No. 380.	Constantis Gregori ; Moisis Christodoulou Parperi and Road.	The portion comprising approximately 67 sq. ft. which projects westwards from the general direction of the western boundary of the plot, more particularly defined as the portion of the said plot coloured red on the plan marked "A" filed in D.L.R.S. 186/36.

Dated the 2nd day of August, 1937.

(M.P. 619/36.)

No. 151. The Irrigation Laws, 1931 and 1934.

In pursuance of the provisions of section 18 of the Irrigation Law, 1931, the following Rules made by the Committee of the Irrigation Division of Kakopetria, in the District of Nicosia, are published in the *Gazette*.

(M.P. 720/35.)

IRRIGATION DIVISION OF KAKOPETRIA.

Rules.

1. These Rules may be cited as the Irrigation Division of Kakopetria Rules, 1937.

2. In these Rules unless the context otherwise requires :—

"Commissioner" means the Commissioner of the District of Nicosia.

"Committee" means the Committee of the Irrigation Division.

"Irrigation Division" means the Irrigation Division of Kakopetria.

"Law" means the Irrigation Laws, 1931 and 1934.

"List" means the list of the names and residence of the proprietors prepared under the provisions of section 14 (b) of the Law.

"Works" means the Irrigation works of the Irrigation Division.

3. The Committee shall hold office for a period of three years beginning on the 6th June, 1937. Thereafter the election of the Committee shall take place every third year in the first week of the month of May and it shall hold office for a period of three years from the 6th June next following its election.

4.—(a) The Committee shall appoint a treasurer who shall, during the months of October and November in every year; collect the rates and charges assessed upon the proprietors mentioned in the list.

(b) The treasurer shall, on the 1st December in every year, prepare a statement of all rates or charges still due and unpaid on that date and shall forward such statement to the Commissioner.

(c) The treasurer shall be unpaid: Provided that he shall be paid such of his out of pocket expenses as may be sanctioned by the Committee.

(d) The treasurer shall be appointed for such period as the Committee may fix but in no case extending over the term of office of the Committee appointing such treasurer.

5. Every proprietor mentioned in the list shall pay a rate not exceeding ten shillings per annum as may be prescribed by the Committee from time to time for every Government donum of land owned by such proprietor which is benefited or is capable of being benefited by the works.

6. All rates assessed under the provisions of the Law and of these Rules shall be paid on or before the 30th November, in every year.

7. The Committee shall from time to time authorize the treasurer to pay out of the money in his hands any sum required:—

(a) for the works or for the maintenance or repairs thereof; and

(b) for any costs incurred by the Committee in the preparation of the plans, estimates and list under the provisions of the Law; and

(c) for any costs incurred by the Committee in instituting or defending any proceedings brought by or against the treasurer as representing the proprietors of the Irrigation Division; and

(d) for any compensation payable under sections 33 and 35 of the Law, whenever there are funds at the disposal of the treasurer or of the Committee sufficient to meet any amount payable as compensation under the provisions of these sections; and

(e) for any audit fee; and

(f) for any costs or expenses incurred in connection with works or proceedings which, in the opinion of the Committee, are beneficial to the Irrigation Division notwithstanding that the same may have been incurred before the formation of such Irrigation Division.

8. The Committee may from time to time appoint such person or persons as may be required for the purpose of the carrying out of any work or for the performance of any duty under the provisions of the Law or of these Rules, and fix the remuneration of such person or persons.

9. During the months of March and April in every year, the Committee shall cause the works to be properly cleaned and repaired.

10. No person shall enlarge or lessen the width of any branch or channel or open a new channel or interfere in any way with the works without leave in writing signed by the Committee, and no leave shall be given under this rule until ten days after a notice has been posted in the village of Kakopetria so that any complaints against the application may be inquired into by the Committee.

11. Any person receiving such written leave as aforesaid shall, immediately after his lands have been irrigated, remove any obstruction which he has been permitted to place in the said works and shall repair any branch channel whose width he has been permitted to open and if

such person fails or refuses to do so, it shall be lawful for the Committee to carry out such repairs or alterations as may be necessary at the expense of the offender.

12. No person shall be allowed to cut the water either with a view of obtaining more water for his own fields or for any other purpose, except as directed by the Committee in writing.

13. The cleaning and clearing of branch channels shall be carried out not later than the 31st March in every year by the proprietors through whose lands such branch channels flow. In the event of two or more persons being interested in such branch channels and disputes arising, the Committee shall carry out the cleaning, etc., and the cost of such cleaning, etc., shall be paid by such proprietors in addition to any amount that may be assessed on them under Rule 5 hereof. If the owners fail to do so, the Committee shall be entitled after the said date to clean the branch channels and charge the owners with the expenses actually incurred.

14. Every person upon whom a notice for that purpose has been served by the Commissioner or the Committee shall at once clean such part of the channel as runs through his fields of any stones or rubbish, which might divert the water or stop its proper course, and shall remove all stones and other things intended to direct the water on to his fields at the proper time.

15. The Committee shall distribute the water from time to time to every proprietor in proportion to the quantity of water available and having regard to the number of donums of land to be irrigated by each proprietor and in accordance with the usage heretofore observed with regard to the turn of irrigation and the distribution of such water.

16. The Committee may with the consent of the Commissioner enter into any agreement or arrangement with the Committee of any other Irrigation Division formed under the provisions of the Law with regard to any dams or channels which are shared in common between the Irrigation Division and such other Irrigation Division, the maintenance thereof and the proportion of any contribution for any expenses incurred in connection therewith, to be paid by the Irrigation Division.

17.--(a) Upon an application to the Commissioner signed by not less than two-thirds of the proprietors mentioned in the list requesting that the Irrigation Division be dissolved, the Commissioner shall call a meeting of the proprietors for the purpose of determining whether the Irrigation Division should be dissolved.

(b) Every meeting so convened shall be held in the presence of the Commissioner at the time and place appointed and if at such meeting a majority of two-thirds of the proprietors or the authorized proxies thereof who are present decide that the Irrigation Division should be dissolved, the Irrigation Division shall be so dissolved accordingly:

Provided that all rates due and unpaid on the date of dissolution shall be levied and paid as if the Irrigation Division had not been dissolved.

(c) The provisions of sections 4, 6, 7, 8 and 9 of the Law with respect to public meetings shall apply *mutatis mutandis* to a meeting convened under the provisions of this Rule.

(d) Any money in the hands of the Committee or the treasurer at the time of the dissolution of the Irrigation Division and any money recovered at any time thereafter on account of the rates due and unpaid at the time of such dissolution, shall be paid to the Commissioner and shall be passed in the books of the Commissioner to the credit of the village of Kakopetria and shall be utilized by the Commissioner for some purpose of public utility in the village of Kakopetria.