

**No. 119.**

**THE CONSTRUCTION OF BUILDINGS, STREETS AND WELLS  
ON ARAZI MIRIE LAWS, 1927 TO 1938.**

*M. S. L. 1939,  
10. 11. 39, p. 615.  
S. L. 1940,  
31. 12. 40, p. 962.*

**REGULATIONS MADE UNDER SECTION 12.**

H. R. PALMER,  
*Governor.*

In exercise of the powers vested in him by section 12 of the Construction of Buildings, Streets and Wells on Arazi Mirié Laws, 1927 to 1938, His Excellency the Governor, with the advice of the Executive Council, is pleased to make and hereby makes the following Regulations :—

**PRELIMINARY.**

1. These Regulations may be cited as the Construction of Buildings, Streets and Wells on Arazi Mirié Regulations, 1938.

2. These Regulations shall apply only to the Municipal areas of the following towns, namely, Nicosia, Famagusta, Larnaca, Limassol, Paphos and Kyrenia, and to the Municipal areas of the following villages,

namely, Lefka, Morphou and Lefkara, *and also Village of Arazí Omoloulakas, Lefkara, Lefka, Morphou, Lefkara, Trakona, Amorphita, Beyrak, Kikimahlí, Dard, etc.*

*4/9/62*

3. In these Regulations—  
“ Building Committee ” means the Building Committee of the towns of Nicosia, Famagusta, Larnaca, Limassol, Paphos and Kyrenia, and of the villages of Lefka, Morphou and Lefkara respectively ; *and in the case of the villages, the Commissioner*

“ Commissioner ” means the Commissioner of the Districts of Nicosia, Famagusta, Larnaca, Limassol, Paphos and Kyrenia, respectively ;

“ land ” means land of the category of Arazi Mirié and of Arazi Mevcoufé Takhsisat.

**APPLICATIONS FOR PERMITS TO DIVIDE OR SUBDIVIDE LAND FOR BUILDING PURPOSES OR TO DIVIDE OR SUBDIVIDE BUILDINGS.**

4.—(1) Every application for a permit to divide or subdivide any area of land for building purposes, or to divide or subdivide an existing building, whether the proposed division or subdivision involves the laying out of streets through such land or otherwise, shall be made to the Building Committee through the Commissioner and shall be in the form set out in the First Schedule to these Regulations.

(2) Every such application ~~shall be stamped with stamps to the value of five shillings and shall be accompanied by the following documents :—~~

*amended  
4/9/62*

(a) the kochan of the land affected, or, in the event of the property being mortgaged, a certificate from the Land Registry Office that the land is registered in the name of the applicant and a statement from the mortgagee that he sanctions the proposal ;

(b) the relevant Government Survey Plan in duplicate of the area affected on the largest available scale with the proposed subdivision shown thereon in red lines and with the figured dimensions in feet and inches of all plots and street widths ; and

(c) if required by the Building Committee, drawings showing longitudinal sections and cross sections of any new streets.

(3) The Building Committee may require the alteration or modification of any such plan or drawings in such manner as the Building Committee deems necessary or desirable.

(4) *reg. see suppl no. 3, 40/962  
and incorporation in the human district (became applicable in these regulations referred to as 'the other villages'.)*

5. In the event of an application relating to the partial subdivision of an existing plot, the Building Committee may require the applicant to submit a scheme for the subdivision of the whole plot.

6. In considering an application for subdivision, the Building Committee may require such alteration of existing boundaries as may be necessary for the carrying out of these Regulations, and may require that plots shall be of such size and shape and with such frontage as the Building Committee may in each case consider necessary or appropriate. Only in exceptional circumstances may a plot be of less than five thousand and six hundred square feet and with a frontage of less than seventy feet.

7. In approving an application for subdivision, the Building Committee may require the applicant to make provision in respect of all or any of the following matters :—

(a) demarcation of the boundaries of each plot by means of stones or concrete blocks measuring not less than one foot by one foot and two and one-half feet long, sunk two feet into the ground, or by such other marks of a type approved by the Director of Land Registration and Surveys or his duly authorized representative, such stones, concrete blocks or marks to be placed to the satisfaction of the Director of Land Registration and Surveys or his duly authorized representative ;

(b) construction of ditches, one foot and six inches from the plot boundary and within the limits of the street of a dimension of not less than two feet wide at the top and one foot wide at the bottom and one foot deep ;

(c) construction of streets ;

(d) width of streets ;

(e) construction of culverts ;

(f) diversion of natural or artificial water channels ;

(g) installation of an adequate water supply,

and no permit shall issue until the requirements of the Building Committee have been carried out.

8. If the site of the proposed division or subdivision is considered unsuitable for building purposes, the Building Committee may refuse to issue a permit to divide or subdivide.

9. Every permit issued to divide or subdivide land or an existing building shall be in the form set out in the Second Schedule to these Regulations.

#### APPLICATIONS FOR BUILDING PERMITS.

10.—(1) Every application for a building permit shall be made to the Building Committee through the Commissioner, and shall be in the form set out in the Third Schedule to these Regulations.

(2) Every such application shall be stamped in accordance with the scale set out in the Eighth Schedule to these Regulations and shall be accompanied by the following documents :—

(a) the kochan of the land comprising the building site, or, in the event of the property being mortgaged, a certificate from the Land Registry Office that the land is registered in the name of the applicant and a statement from the mortgagee that he sanctions the proposal ;

(b) architect's plans drawn to a scale of eight feet to one inch, in duplicate, of the proposed building or alteration or addition to an existing building, and consisting of one plan of each floor

showing the over-all dimensions and the dimensions of each room in feet and inches and one elevation, and, if required by the Building Committee, drawings showing additional elevations and cross sections :

Provided that when the cost of any building, or alteration or addition to any existing building does not exceed one hundred pounds, the Building Committee may accept any application for a building permit unaccompanied by architect's plans, and in any such case sketch plans with figured dimensions shall be submitted ;

- (c) a site plan, in duplicate, showing on a print of the largest scale Government Survey Plan available—
- (i) the boundaries of the building site ;
  - (ii) the position of the proposed building or the alteration or addition to any existing building in relation to those boundaries on the same scale as the Government Survey Plan ;
  - (iii) the access to the plot from some existing street ;
  - (iv) the position of all tanks, wells, septic tanks, cesspits and soakaways and the drains connected thereto ; and
  - (v) the area of the plot and the area covered by existing buildings and proposed buildings in square feet.

11. The following provisions shall be given effect to :—

- (a) the sum of the areas of any plot covered by existing buildings and by the buildings to be erected thereon shall not exceed 40% of the extent of the land lying within the boundaries of the plot out of which not more than 30% shall be occupied by the dwelling houses and not more than 10% by auxiliary houses to be used by the residents. In the case of semi-detached houses, multiple houses and flats, the percentage shall not exceed 30% divided into 20% and 10% as above ;
- (b) in built up areas the sum of the areas of any plot covered by existing buildings and by the buildings to be erected thereon may, with the approval of the Building Committee, be increased to 60% of the extent of the land lying within the boundaries of the plot where the buildings are to be used for the purposes of any trade or industry or as public buildings, out of which not more than 40% shall be occupied by the main buildings for any such purpose and not more than 20% shall be occupied by auxiliary buildings for the same purpose ;
- (c) no part of any building shall be less than 10 feet from any other building standing on the same plot ;
- (d) no part of the main building or alteration or addition to any existing main building shall be less than 10 feet from any boundary of the plot on which it stands, except that in cases where the building is used for trade or industry the Building Committee may sanction such lesser distances as it may in each case consider necessary or appropriate ;
- (e) in the case of semi-detached houses and multiple houses the remaining extent of the plot, after deducting the area of the main building, must be divided into as many units as the main building contains and each unit area must conform with the provisions of paragraph (a) hereof and separate registration effected for each unit before a building permit is issued ;

*Substituted*  
39/615

- (f) the Building Committee may require plots to be of such size and shape and with such frontage as the Building Committee may in each case consider necessary or appropriate ; only in exceptional cases may a building permit be granted in respect of a plot containing an area of less than five thousand and six hundred square feet or with a frontage of less than seventy feet ; consideration will also be paid to the suitability of the proposed building in relation to the neighbouring buildings with a view to preserving the proper character and style of buildings to be erected in the neighbourhood ;
- (g) no building permit shall be granted unless proper independent means of access to the proposed building from a street is provided ; and where such access is over a street drain unless a proper culvert or drain crossing is provided for and is so constructed that no obstruction is caused to the flow of water in the drain and no encroachment on the street is made.
- (h) after the completion of the digging of the foundation trenches, application shall be made to the Divisional Engineer of the District, or to such other duly qualified engineer who is permanently employed either in the service of Government or in the service of a Municipal Council represented on the Building Committee, for an inspection and permit to proceed with the erection of the building, and such permit to proceed as aforesaid may be refused if the trenches are found not to conform with the position of the building as shown on the approved plans ;
- (i) during the progress of the construction or alteration of any building proper sanitary arrangements for the use of workmen engaged thereon shall be provided and maintained on the building site to the satisfaction of the Building Committee.

12. During the progress of any building operations no person shall cause any encroachment upon any street by dumping materials thereon or in any other manner, and all debris which remains on or about the premises or adjacent land or streets after the building operations have been completed shall be removed therefrom by the person concerned.

13. A building permit shall be valid for one year from the date of issue : Provided that if the building or other work to which it relates is not completed within that period, the permit shall, on payment of the fee prescribed for the original application, at any subsequent time be renewable if not conflicting with any law or regulations relating to buildings and in force for the time being.

14. Every building permit shall be in the form set out in the Fourth Schedule to these Regulations.

15. No premises shall be occupied until a certificate for occupancy has been obtained from the Building Committee in the form set out in the Fifth Schedule to these Regulations.

#### TRADE AND RESIDENTIAL AREAS.

16. Where by notice in the *Gazette* under section 8B (1) of the Law any lands have been declared to be—

- (a) an area in which buildings to be used for the carrying on of any trade or industry shall not be erected, or
- (b) an area in which buildings to be used for the carrying on of any trade or industry specified in such notice shall not be erected, or

(c) an area in which residential buildings of a lesser value than that specified in such notice shall not be erected,  
 the Building Committee shall deposit or cause to be deposited in the office of the Commissioner plans showing the boundaries and extent of any such area, and such plans shall at all reasonable times be open to inspection by any member of the public without payment of any charge or fee.

APPLICATIONS FOR PERMITS TO SINK OR CONSTRUCT WELLS.

17.—(1) Every application for a permit to sink or construct any well shall be made to the Commissioner and shall be in the form set out in the Sixth Schedule to these Regulations, and accompanied by a duplicate set of plans showing the plot on which it is proposed to sink or construct the well.

(2) Every such application shall be stamped—

- (a) with a stamp of one shilling where the application relates to not more than five wells, and
- (b) with a stamp of two shillings where the application relates to more than five wells.

(3) Every permit to sink or construct any well shall be in the form set out in the Seventh Schedule to these Regulations.

REPEAL.

18. The Construction of Buildings, Streets and Wells on Arazi Mirié Law Regulations, 1928, and the Construction of Buildings, Streets and Wells on Arazi Mirié Law (Amendment) Regulations, 1932, are hereby revoked, without prejudice to anything done or left undone thereunder.

*Gazettes:*  
 7.9.1928  
 6.5.1932

FIRST SCHEDULE.

*The Construction of Buildings, Streets and Wells on Arazi Mirié Regulations, 1938.*  
 (REGULATION 4.)

APPLICATION FILE NO.....

APPLICATION FOR PERMIT TO DIVIDE OR SUBDIVIDE LAND  
 OR AN EXISTING BUILDING.

To the Building Committee of .....

I, the undersigned .....  
 of.....

request that I may be granted a permit to divide my property being  
subdivide

plot No. .... Sheet ..... or Quarter  
Plan ..... Block .....

..... held by me under Registration No.....

of the..... Quarter of the town of.....  
village

according to the plans submitted herewith.

I undertake to set aside all roads, public squares and open spaces shown on the plans for the use of the public, and such areas shall cease to form part of my property on notification to me by the Building Committee that the terms of the permit issued

to me have been carried out to their satisfaction, and I will thereupon cause any of my registrations affected to be so amended as to exclude roads, public squares and open spaces as above.

Dated the.....day of.....19....

(Applicant's Signature).....

[Space for stamps to the value of 5s.]

[Fee 9k --- applied in stamps]

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SECOND SCHEDULE.

The Construction of Buildings, Streets and Wells on Arazi Mirié Regulations, 1938.

(REGULATION 9.)

APPLICATION FILE No.....

PERMIT No.....

PERMIT TO DIVIDE OR SUBDIVIDE LAND OR EXISTING BUILDING.

Building Committee of .....

To .....  
of.....

With reference to your application dated the.....day of.....19....  
for a permit to divide plot No....., Sheet ..... or  
subdivide Plan .....  
Quarter .....  
Block ....., as more particularly shown on the plan accompanying your

application, permission is hereby granted to you to proceed with such division  
subdivision provided the following requirements of the Building Committee are fulfilled :—

- (1) Demarcation of plots.....
- (2) Digging of road ditches .....
- (3) Construction of culverts.....
- (4) Grading and construction of roads .....
- (5) Special requirements : .....

2. No registration of the plots in the division  
subdivision will be effected until all the above requirements have been fulfilled to the satisfaction of the Building Committee and its certificate approving the division or subdivision has been obtained and produced to the Land Registry Office.

Dated the.....day of.....19....

(Signature).....

Chairman of Building Committee.

## THIRD SCHEDULE.

*The Construction of Buildings, Streets and Wells on Arazi Miri Regulations, 1938.*

(REGULATION 10.)

APPLICATION FILE NO.....

## APPLICATION FOR A BUILDING PERMIT.

1. Name of applicant .....
- Address .....
2. Name of locality where building is to be erected .....
3. Number and date of kochan.....

	Sq. Ft.	Percentage to the whole plot.
	—	—
4.—(a) Area of plot .. .. .	.....	.....
(b) Area covered by existing building ..	.....	.....
(c) Area covered by existing outbuildings ..	.....	.....
(d) Area covered by proposed building ..	.....	.....
(e) Area covered by proposed outbuildings ..	.....	.....

5. *Materials to be used in Main Building :*
  - (a) Outside walls .....
  - (b) Inside walls .....
  - (c) Roof covering .....
6. *Materials to be used in Outbuildings :*
  - (a) Outside walls .....
  - (b) Inside walls .....
  - (c) Roof covering .....
7. Height of surrounding fencing and materials to be used .....
8. *Purposes for which Buildings are to be used :*
  - (a) Main buildings .....
  - (b) Outbuildings .....

To the Building Committee of .....

I request that I may be granted a permit to erect the buildings of the value of £..... as shown on the accompanying duplicate plans and in accordance with details given above. I attach kochan for the plot concerned.

*Appointment of Agent.*

Whilst retaining my responsibility for the proper execution of the terms of this application, for my own convenience, I wish to appoint Mr..... of..... to act as my agent for the conduct of the works.

Dated the.....day of.....19....

(Applicant's Signature) .....

[Space for stamps.]

## FOURTH SCHEDULE.

*The Construction of Buildings, Streets and Wells on Arazi Mirié Regulations, 1938.*

(REGULATION 14.)

APPLICATION FILE No.....

PERMIT No.....

## BUILDING PERMIT.

Building Committee of .....

Permission is hereby granted to.....  
of.....to erect buildings on plot No.....  
Sheet ..... or Quarter  
Plan ..... or Block ....., as hereinafter described, on condition that  
such buildings are erected in accordance with the plans attached hereto signed and  
dated the ..... day of ..... 19....., and that the buildings are to be used  
solely for the purposes stated below and for no other purpose:—

## PARTICULARS OF BUILDINGS TO BE ERECTED.

(A) *Materials.*

	Outside walls	Inside walls	Roof covering
Main building .. ..			
Outbuildings, viz.:			
(1) .. ..			
(2) .. ..			
(3) .. ..			
(4) .. ..			
(5) .. ..			
(6) .. ..			

(B) *Description of Surrounding Walls and Fences.*(C) *Purposes for which Buildings will be used.*

Main building .. ..	
Outbuildings, viz.:	
(1) .. ..	
(2) .. ..	
(3) .. ..	
(4) .. ..	
(5) .. ..	
(6) .. ..	



2. Failure to erect the buildings in accordance with this permit and the plans attached hereto will render the buildings liable to demolition and the buildings may not be registered.

3. A certificate for occupancy in the form appearing in the Fifth Schedule to the Regulations must be obtained before the premises are occupied.

4. This permit is valid only for a period of one year from the date hereof.

Dated the.....day of.....19.....

(Signature).....

Chairman of Building Committee.

FIFTH SCHEDULE.

The Construction of Buildings, Streets and Wells on Arazi Mirié Regulations, 1938.

(REGULATION 15.)

CERTIFICATE FOR OCCUPANCY.

Building Committee of.....

Certificate No.....

This is to certify that..... of..... may occupy the buildings specified in the Building Permit No..... dated the.....day of.....19....., for the purposes therein stated.

Dated the.....day of.....19.....

(Signature).....

Chairman of Building Committee.

SIXTH SCHEDULE.

The Construction of Buildings, Streets and Wells on Arazi Mirié Regulations, 1938.

(REGULATION 17 (1).)

APPLICATION FILE No.....

APPLICATION FOR PERMIT TO SINK OR CONSTRUCT WELLS.

To the Commissioner of .....

PARTICULARS.

1. Name of applicant .....
- Address .....
2. Name of locality where well(s)  $\frac{\text{is}}{\text{are}}$  to be sunk or constructed.....
3. Number and date of kochan .....
- Plot No. ....  $\frac{\text{Sheet}}{\text{Plan}}$  .....  $\frac{\text{Quarter}}{\text{Block}}$  .....
4. Number of wells proposed to be sunk or constructed .....
5. Purpose for which the water is to be used .....

I request that I may be granted a permit to sink or construct..... well(s) in accordance with the particulars given above and the duplicate plans submitted herewith.

Dated this.....day of.....19.....

(Signature of applicant).....

Note—(a) Stamps to the value of 1s. to be affixed if the application relates to not more than five wells.

Stamps to the value of 2s. to be affixed if the application relates to more than 5 wells.

Note—(b) Attention is drawn to section 3 of the Government Waterworks Law, 1928, under which a permit from the Commissioner is required to be obtained before use is made of any water found in this well/these wells.

[Space for stamps.]

SEVENTH SCHEDULE.

The Construction of Buildings, Streets and Wells on Arazi Mirié Regulations, 1938.

(REGULATION 17 (3).)

APPLICATION FILE No.....

PERMIT No.....

PERMIT TO SINK OR CONSTRUCT WELLS ON ARAZI MIRIE.

Permission is hereby granted to..... of..... to sink or construct..... well(s) at the locality..... at..... plot No. .... Sheet Plan ..... or Quarter Block ....., in accordance with the plans attached hereto.

2. This permit is subject to the following conditions :—

.....  
.....  
.....  
.....

3. This permit is valid only for a period of one year from the date hereof.

Dated the.....day of.....19....

(Signature).....

Commissioner of the District.

Note.—Attention is drawn to section 3 of the Government Waterworks Law, 1928, under which a permit from the Commissioner is required to be obtained before use is made of any water found in this well/these wells.

EIGHTH SCHEDULE.

The Construction of Buildings, Streets and Wells on Arazi Mirié Regulations, 1938.

(REGULATION 10 (2).)

SCALE OF FEES (APPLICATIONS FOR BUILDING PERMITS).

(Payable in stamps to value.)

Where the estimated cost of the work—	£	s.	p.
(a) does not exceed <del>£100</del> <sup>50</sup> .. .. .	-	2	0
(b) exceeds <del>£100</del> <sup>50</sup> but does not exceed <del>£500</del> <sup>100</sup> .. .. .	=	5	0
(c) exceeds £500 but does not exceed £1,000 .. .. .	2	0	0
(d) exceeds £1,000 but does not exceed £2,000 .. .. .	5	0	0
(e) exceeds £2,000, <del>and</del> for every £1,000 <sup>in excess</sup> or part thereof .. .. .	5	0	0
(f) exceeds £2,000 but does not exceed £3,000 .. .. .	10	0	0
(g) exceeds £3,000 but does not exceed £4,000 .. .. .	15	0	0

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Made in Council, this 16th day of June, 1938.

R. J. THORNE THORNE,

Clerk of the Executive Council.

(M.P. 769/27/2.)

No. 120.

THE SALE OF FOOD AND DRUGS LAW, 1938.

REGULATIONS MADE UNDER SECTION 19.

H. R. PALMER,  
Governor.

In exercise of the powers vested in him by section 19 of the Sale of Food and Drugs Law, 1938, His Excellency the Governor, with the advice of the Executive Council, is pleased to make and hereby makes the following Regulations:—

1. These Regulations may be cited as the Sale of Food and Drugs Regulations, 1938.

2.—(1) In these Regulations—

“ aerated waters ” means filtered waters or non-alcoholic beverages impregnated with carbonic acid gas under pressure ;

“ baking powder ” means a mixture of salts with or without starch, which on heating or moistening evolves carbon dioxide ;

“ bread ” means the substance usually known as bread obtained by moistening, kneading and baking flour ;

“ coffee ” means the seed of coffee arabica or coffee liberica ;

“ condensed milk ” means milk which has been concentrated by the removal of part of its water, whether with or without the addition of sugar, but does not include the article commonly known as “ dried milk ” or “ milk powder ” ;

“ flour ” means the meal produced from the grinding of cereals ;

“ honey ” means the saccharine substance collected by bees and deposited by them in the honeycomb ;