

CAP. 229.

CYPRUS

**MESAORIA STATE LANDS
DELIMITATION**

CHAPTER 229 OF THE LAWS

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1959

CHAPTER 229.

MESAORIA STATE LANDS.

ARRANGEMENT OF SECTIONS.

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TO MAKE PROVISION FOR DETERMINING THE LIMITS OF
CERTAIN STATE LANDS.

1949
Cap. 235.

[12th August, 1899.]

Short title.

1. This Law may be cited as the Mesaoria State Lands Delimitation Law.

Interpreta-
tion.

2. In this Law—

“state lands” means and includes all uncultivated land not already delimited as state forest other than—

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(a) lands registered in the name of any person which are not liable to be confiscated by the Government under the provisions of the Confiscation of Public Lands Law;

(b) lands which have become Mahlul where there is any person possessing a Tapou right in respect thereof;

(c) lands which are or may be lawfully registered as the mera of any person, chiftlik, village, ecclesiastical corporation or vaqf.

Limitation
of operation
of Law.

3. The provisions of this Law with reference to state lands shall apply only to such state lands as will or may be irrigated, drained, or otherwise benefited by any irrigation, drainage or reclamation works to be undertaken by the Government in that part of the districts of Nicosia and Famagusta known as the “Mesaoria.”

4. The Governor may appoint a Commission consisting of not less than three members, referred to in this Law as the "Delimitation Commission," for the purpose of delimiting state lands, and every such Commission shall have all the powers and authorities of a Commission appointed under the Forest Delimitation Law, 1881,* for the purpose of delimiting state forests.

Delimitation
Commission.

5. Whenever the limits of any tract of state lands have been determined, the Delimitation Commission shall draw up a report describing the land so determined, and specifying any persons or communities who, during a period of twenty years immediately preceding the date of the report, have been accustomed to pasture their animals within the delimited area, and the approximate number and description of the animals so pastured. Such persons and communities are hereinafter referred to as possessing "customary grazing rights."

Procedure of
Commission.

The Delimitation Commission shall follow the procedure prescribed by the Forest Delimitation Law, 1881, relating to the deposit of a copy of the report with the Commissioner of the District, and the publication of notice of the deposit; and the provisions of the said Law with regard to the making of objections, the time within which objections may be made, the adjudication thereon, and the period within which the report becomes binding, shall, with the necessary modifications, apply to proceedings under this Law.

6. Any person, corporation, or community claiming to exercise any customary grazing right in or over any tract of land which has been delimited as state land may, within the time limited for making objections, object to the report on the ground that the right is not specified therein; and every such objection shall be made and disposed of pursuant to the provisions of the Forest Delimitation Law, 1881.

Claims of
grazing or
other rights.

7. Where any tract of land has been delimited as state land the following consequences shall ensue—

Consequences
of delimita-
tion.

- (a) no grazing or other right shall be exercised in or over the land except as is hereinafter provided;
- (b) from and after the date when any report becomes binding, no rights of any description whatsoever shall be acquired in or over the land except

* The Forest Delimitation Law, 1881, was repealed by the Forest Law, 1939, now Cap. 60.

under a grant or contract made by or on behalf of the Government of the Colony;

(c) no person shall break up or cultivate the land unless authorized in writing by the Government so to do;

(d) the Government may—

(i) sell any delimited state land either by public auction or private contract, and upon the sale no person or community shall be deemed to have any preferential right to purchase the land;

(ii) let it for any term of years not exceeding ninety-nine years;

(iii) exchange it with other land;

(iv) cultivate, plant and generally use and manage it as may appear most advantageous.

Reservation
of grazing
area.

8. Upon the delimitation of any tract of state lands the Delimitation Commission shall set aside one-half of any state lands over which customary grazing rights have been found to exist in order that it may be used as pasture by the persons and communities possessing the rights. They shall set it aside in one block, or in several parcels, and in such places as may appear most convenient for the persons or communities for whose use it is reserved.

Exercise of
customary
rights.

9. Persons and communities whose customary grazing rights have been ascertained may exercise them to the extent to which they have been recorded in and over the state lands set aside for the purpose:

Provided that the Government may, at any time, acquire any customary grazing right under the provisions of the Land Acquisition Law.

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Penalties.

10. (1) The owner of any animals found grazing or trespassing on any state lands in contravention of this Law, and any person in charge of such animals, shall be liable to a fine not exceeding one pound.

(2) Any person who—

(a) breaks up or cultivates any state lands in contravention of this Law; or

(b) injures, removes or defaces any boundary stone or landmark erected for the purpose of defining any public or state lands,

shall be liable to a fine not exceeding five pounds.