

CAP. 343.

CYPRUS

**KEFALOVRISO WATER SUPPLY
IMPROVEMENT**

CHAPTER 343 OF THE LAWS

1959 EDITION

PRINTED BY

C. F. ROWORTH LIMITED, 54, GRAFTON WAY, LONDON, W.1.

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of Laws within the meaning of the Evidence (Colonial Statutes) Act, 1907.]*

1959

CHAPTER 343.

KEFALOVRISO WATER SUPPLY.

ARRANGEMENT OF SECTIONS.

<i>Section</i>		<i>Page</i>
1	Short title	2
2	Interpretation	2
3	Governor may authorise the carrying out of the undertaking	2
4	Plans and specifications	3
5	Notice to persons interested	3
6	Sanction by Governor of acquisition of land	3
7	Vesting land in Village Commission	4
8	Reference to Government	4
9	Disposition of compensation in certain cases	4
10	Payment into Department of the Accountant-General	4
11	Service of notice	4
12	Borrowing powers	4
13	Bar of actions save with consent of Attorney-General	5
14	Bye-laws	5
15	Offences and penalties	5
16	Saving	6
	SCHEDULE	6

A LAW TO REGULATE AND IMPROVE THE SUPPLY AND DISTRIBUTION OF WATER TO CERTAIN VILLAGES FOR DRINKING AND OTHER DOMESTIC PURPOSES.

1949
Cap. 306.

[22nd June, 1932.]

Short title.

1. This Law may be cited as the Kefalovriso Water Supply Improvement Law.

Interpretation.

2. In this Law—

“Commissioner” means the Commissioner of the district of Nicosia;

“land” includes land (with the grazing rights, and all water and water rights on, over or under such land), buildings, trees, vines, easements, and standing crops and any other immovable property which may by law be sold and purchased or exchanged;

“undertaking” means the undertaking of conveying water as prescribed in section 3;

“Village Commission” means the Village Commission of any of the villages in the Schedule to this Law.

Governor
may authorize the

3. The Governor upon the request in writing by a Village Commission may by notification in the Gazette authorize

such Village Commission to carry out the undertaking of conveying to the village water by means of pipes in a quantity, not exceeding the quantity in the Schedule to this Law appearing against the name of such village, from the Kefalovriso spring, for drinking and other domestic purposes:

carrying out of the undertaking.
Schedule.

Provided that if a request under the provisions of this section is made by the Village Commission of more than one village the Governor may by notification in the Gazette authorize the Village Commissions of such villages to carry out the undertaking in common on such terms and conditions as the Governor may deem fit.

4. Within one week from the publication of the notification in section 3 the Commissioner shall cause to be prepared—

Plans and specifications.

- (a) a plan showing the course of the line of pipes and also showing particulars thereon of the land to be acquired for the purpose of laying such pipes; and
- (b) specifications of all pipes, appliances, apparatus and other material to be used in the undertaking.

5. The Commissioner shall cause a notice to be served (in the manner hereinafter provided) on all the persons interested in the land it is proposed to acquire, notifying them of the proposed acquisition and informing them that they may examine the plan and particulars of the land to be acquired at the office of the Commissioner and present any objections they may have to make thereto within fourteen days from the service of the notice. At or after the expiration of the period of fourteen days from the service of the notices as aforesaid the Commissioner shall forward to the Governor the plan, together with the objections made, if any. The Commissioner shall forward to the Governor at the same time the specifications mentioned in section 4 (b).

Notice to persons interested.

6. If the Governor approves the plan, particulars and specifications submitted and considers it expedient that the land in question shall be acquired, he may by notification in the Gazette sanction the acquisition of the land; and thereupon the land shall be acquired and compensation, which may include compensation for damage occasioned

Sanction by Governor of acquisition of land.

by the determination of a lease, shall be directed to be paid for its acquisition in manner hereinafter provided.

Vesting land
in Village
Commission.

7. When the Governor has notified his sanction to the acquisition of any land, the land shall thereupon vest absolutely in the Village Commission free from all encumbrances; and the notification of the Governor's sanction shall be sufficient authority to the Director of Land Registration and Surveys to cause amendment of registration to be effected in accordance with the plan, particulars and specifications so approved by the Governor.

Reference to
Government.

8. If within one month from the date of the notification of such sanction, the persons interested do not agree with the Village Commission as to the compensation for the land so acquired, the Village Commission shall apply to the Administrative Secretary for the determination of the amount of the compensation and the matter shall thereupon be referred to the Governor in Council whose decision shall be final and conclusive.

Disposition
of compen-
sation in
certain cases.

9. The Commissioner may direct that any sum payable as compensation for any land acquired under the provisions of this Law be paid to any mortgagee of the land in satisfaction in whole or in part of the sum secured by the mortgage, or to any lessee of the property, as compensation in respect of the determination of his tenancy, or to any judgment creditor who has registered his judgment in the manner provided by law, in satisfaction in whole or in part of the sum due under the judgment.

Payment
into Depart-
ment of the
Accountant-
General.

10. If any person refuses to accept any sum directed to be paid to him under the provisions of this Law, or is absent from Cyprus, the Village Commission may pay the sum into the Department of the Accountant-General.

Service of
notice.

11. Where a notice is required to be served under this Law, service may be effected by delivery of the notice to the person to be served therewith, or, if he cannot be found, by leaving it at his usual place of abode with any adult inmate thereof, or, if he is absent from Cyprus, by the insertion of the notice in any newspaper published in Nicosia.

Borrowing
powers.

12. For the purposes of carrying out the undertaking the Village Commission shall have the power to borrow money

from the Loan Commissioners or with the consent of the Governor from any other person and every such loan shall be deemed to be a loan contracted under the provisions of the Village Obligations Law, and the amount thereof, subject to the provisions of the Public Loans Law, shall be assessed, paid and collected in accordance with the provisions of the Village Obligations Law.

Cap. 246.
Cap. 208.

13. Save with the written consent of the Attorney-General no action, prosecution or legal proceeding whatsoever shall be brought, instituted or maintained by any person against the Village Commission or against any person acting under its authority in respect of any act or thing done or omitted under the provisions of this Law.

Bar of actions save with consent of Attorney-General.

14. The Village Commission may, with the approval of the Governor, make bye-laws to be published in the Gazette for all or any of the following matters—

Bye-laws.

- (a) regulating the supply of water for drinking and other domestic purposes;
- (b) providing for the payment of any fees or charges in connection therewith;
- (c) regulating the supply of water by tap or meter;
- (d) specifying the conditions under which any water supply may be stopped;
- (e) regulating the management and control of the undertaking and the prevention of waste, misuse or pollution of water;
- (f) providing for the formation of a fund into which any fees, charges or penalties recovered under the provisions of this Law or any bye-laws made thereunder should be paid and for the disposal of any moneys in such fund.

15. (1) Any person who resists or obstructs the Village Commission or any person acting under its authority in the lawful execution of the undertaking under the provisions of this Law shall be guilty of an offence and on conviction thereof shall be liable to a penalty not exceeding ten pounds.

Offences and penalties.

(2) Any person who acts in contravention of or fails to comply with any of the provisions of any bye-law made under this Law shall be guilty of an offence and on conviction thereof shall be liable to a penalty not exceeding five pounds.

(3) All offenders against this Law or against any bye-laws made thereunder may be prosecuted by the Village Commission and all penalties recovered shall be paid to a fund formed under any bye-laws made under the provisions of this Law.

Saving.
Schedule.

16. Nothing in this Law contained shall be interpreted or construed as affecting in any way any right already possessed by, or vested in, any of the villages in the Schedule to this Law, for the use or enjoyment of water from the Kefalovriso spring for any purposes other than drinking or domestic purposes.

SCHEDULE.

(Sections 3 and 16.)

<i>Village.</i>					<i>Quantity.</i>
Bey Keuy...	...	...	...	...	665 gallons per day.
Epikho ...	...	...	...	...	5,600 " "
Exometokhi ...	...	...	...	...	6,550 " "
Neokhorio...	...	...	...	...	9,850 " "
Palækythro ...	...	...	...	...	7,600 " "
Trakhoni ...	...	...	...	...	3,200 " "
Voni ...	...	...	...	...	4,400 " "