

under Notification No. 407 in Supplement No. 3 to the *Gazette* of the 19th December, 1946, and as subsequently amended by Notifications Nos. 37 and 194 in Supplement No. 3 to the *Gazettes* of the 4th February, 1953, and the 25th March, 1954, respectively, shall be altered accordingly.

3

SCHEDULE.

Survey Reference			Locality	Extent			Description
Sheet	Plan	Plot		Don.	Ev.	S. ft.	
LIV	50	377 part	Kardhana	—	—	912	The area coloured red on the Government Survey Plan Serial No. 1666.

Given at Nicosia, this 20th day of November, 1956.

No. 1151.

THE COMPENSATION ASSESSMENT TRIBUNAL LAW, 1955.

*See also, Supplement No. 2
Gazette No. 1575 d.d. 5.1.56 p. 2*

RULES OF COURT MADE UNDER SECTIONS 7 AND 10.

JOHN HARDING,
Governor.

43 of 1955

In exercise of the powers vested in me by sections 7 and 10 of the Compensation Assessment Tribunal Law, 1955, I, the Governor, with the advice and assistance of the Chief Justice, do hereby make the following Rules:—

PRELIMINARY.

Citation.

1. These Rules may be cited as the Compensation Assessment Tribunal Rules, 1956.

Interpretation.

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:—

43 of 1955

“the Law” means the Compensation Assessment Tribunal Law, 1955;

“the President” means the President of the Compensation Assessment Tribunal, or the member appointed under the provisions of the Law to act for the time being as deputy for the President;

“Tribunal” means the President and the members of the Compensation Assessment Tribunal selected to deal with a case under the provisions of section 5 of the Law;

“the Registrar” and “the office” mean respectively the registrar and the office for the time being of the Compensation Assessment Tribunal.

Cap. 1.

(2) The Interpretation Law shall apply to the interpretation of these Rules as it applies to the interpretation of a Law.

PART I.—REFERENCES.

3.—(1) Proceedings for the determination of any question or dispute by the Compensation Assessment Tribunal may be instituted by any party who requires to have the question or dispute determined by sending to the registrar a notice of reference substantially in accordance with Form 1 in Appendix A, together with sufficient copies thereof for service upon each of the other parties to the proceedings.

Notice of reference.

Appendix A.

(2) Where any reference is by way of appeal from an authority having statutory powers to determine compensation, there shall be sent to the registrar with the notice of reference a copy of the decision, assessment or notice of the determining authority.

4. Upon receiving a notice of reference, the registrar shall enter particulars thereof in the Register of References, and shall forthwith send a copy of the notice to each of the parties to the proceedings (other than the party or parties by whom the notice of reference is signed), together with a notice substantially in accordance with Form 2 in Appendix A, and shall inform all the parties of the number of the reference. The name of the Tribunal, the names of the parties and the number of the reference, together with the year in which it is instituted, shall thereafter constitute the title of the proceedings.

Entry of reference.

5.—(1) Within 10 days from the date of service on the claimant or the Acquiring Authority, as the case may be, of the registrar's notice in Form 2, the party concerned shall give to the registrar a written notice stating:—

Notice of address, etc.

(a) an address at which documents may be served upon him; and
(b) whether he proposes to call an expert witness to give evidence in support of any valuation.

(2) The address for service mentioned in paragraph (1) of this Rule shall be the full address of a person within the municipal limits of the main town of the District in which the land concerned is situated.

6.—(1) The claimant shall, within 28 days from the service on him of the registrar's notice in Form 2, give to the registrar and to the Acquiring Authority, at their address for service, a written statement (together with three copies thereof in the case of the registrar) showing the amount claimed by him as compensation with full particulars in support thereof.

Statement of claim, valuation and plan.

(2) The Acquiring Authority shall, within 28 days from the service on it of the registrar's notice in Form 2, give to the registrar and to the claimant, at his address for service, a written statement (together with three copies thereof in the case of the registrar) showing the valuation of the land which is the subject of the proceedings with full particulars in support thereof.

(3) The Acquiring Authority shall in all cases send to the registrar four copies of the plan of the land which is the subject of the proceedings, within 28 days after the filing of the notice of reference, together with sufficient copies of such plan for service upon each of the other parties, unless in the meantime the Acquiring Authority is required by the registrar to send such plan to him under the provisions of Rule 19 (3).

7.—(1) Subject to any directions which may be given by the President, the registrar may, at any time after receiving a notice of reference, require a party to furnish a statement setting out further and better particulars of the grounds of reference, appeal or application, or of any valuation of property which is the subject of the reference, and any facts and contentions relevant thereto.

Power to require further particulars.

(2) The party concerned shall within such time as may be prescribed by the registrar, not being less than 14 days after the date of the requirement, send the statement to the registrar (together with three copies thereof) and shall send identical copies to all other parties.

Description

2 The area coloured red on the Government Survey Plan Serial No. 1666.

number, 1956.

COMPENSATION TRIBUNAL LAW, 1955.

2

SECTIONS 7 AND 10.

Sections 7 and 10 of the Compensation Tribunal Law, 1955, with the advice of the following Rules:—

Compensation Assessment Tribunal

whereas the following Rules respectively, that is

Compensation Assessment Tribunal Law,

whereas the Compensation Assessment Tribunal Law, 1955, with the advice of the following Rules:—

whereas the registrar and the Compensation Assessment Tribunal, in their interpretation of these

Power to require particulars of determination.

8. The President or the Tribunal may at any time request the Director of Lands and Surveys or any other determining authority to give a statement of the reasons for his or its decision, determination or assessment, and to furnish any other particulars thereof which appear to be requisite for the decision of the application, appeal or reference before the Tribunal, and thereupon the Director of Lands and Surveys or other determining authority shall furnish the statement of reasons or particulars to the registrar (together with three copies thereof) and shall send identical copies to all interested parties within 14 days after the date of such request, or within such extended time as may be allowed by the President or the Tribunal.

PART II.—PROCEDURE.

Interlocutory applications.

9.—(1) Except where these Rules otherwise provide, any application for directions of an interlocutory nature in connection with any proceedings shall be made to the President or a member of the Compensation Assessment Tribunal nominated by him.

(2) The application shall be made in writing and shall state the title of the proceedings and the grounds upon which the application is made.

(3) If the application is made with the consent of all parties, it shall be accompanied by consents signed by or on behalf of the parties.

(4) If the application is not made with the consent of all parties, then, before it is made, a copy thereof shall be served upon each party and the application shall state that this has been done.

(5) Any party who objects to the application may, within 7 days after receiving a copy thereof, send written notice of objection to the President and to the applicant, and before making any order on the application the President or the nominated member of the Tribunal shall consider any objections which he may have received and, if so required by any party, shall give all parties an opportunity of appearing before him.

(6) In dealing with any application under this Rule, the President or the nominated member of the Tribunal shall have regard to the convenience of the parties and the desirability of limiting so far as practicable the costs of the proceedings and shall communicate his decision in writing to each party thereto.

(7) Any party aggrieved by a decision of a member nominated by the President on an application under this Rule may appeal to the President by giving notice in writing to the registrar and to every other party within four days after receiving notice of the decision, or within such further time as may be allowed by the President, but such an appeal shall not act as a stay of proceedings unless so ordered by the President.

Consolidation of references.

10.—(1) Where more than one notice of reference has been given in respect of the same land, an application to the President, in accordance with the provisions of Rule 9, for an order that the references shall be heard together may be made by the authority liable for the payment of compensation.

(2) Where any such notices of reference have been given as are referred to in the last foregoing paragraph, the President or the Tribunal may, without any application in that behalf, make an order that the appeals or references shall be heard together.

(3) When two or more references are pending before the Tribunal whether by the same or different claimants against the same Acquiring Authority, and the subjects of such reference involve a common question of law or fact of such importance in proportion to the rest of the matters involved in such references as to render it desirable that the references should be consolidated, the President or the Tribunal may, on the application of any interested party, or of his or its own motion, make an order that the references shall be heard together.

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(4) An order for consolidation may be made with respect to some only of the matters to which the notices of reference relate.

11.—(1) Where two or more persons are interested in respect of the same matter, and the President may, if it appears to him that the contentions put forward by any two or more claimants are substantially the same, direct that one of those claimants shall alone be entitled to appear at the hearing of the reference, and may require the claimants concerned, within such period as he may allow, to select, or, failing their selection within the period allowed, may himself select, one of their number to represent them jointly in the conduct of the reference:

More than one interested persons.

Provided that any claimant who claims that he would be prejudiced by such a direction may, within the period allowed by the President, apply to the President for leave to appear separately at the hearing of the reference, and the President may, thereupon, in his discretion, either adhere to or revise his direction, or give such other direction as to the appearance, and order of appearance, of the claimants at the hearing of the reference as he may think just in the circumstances.

(2) The registrar shall forthwith send notice of any direction given by the President under this Rule to all the claimants and the Acquiring Authority.

12.—(1) The Tribunal shall, subject to any directions given by the Chief Justice either generally or with regard to any particular reference, sit at such places as the President may from time to time determine.

Sittings of Tribunal.

(2) The registrar shall send to each party to proceedings before the Tribunal a notice informing him of the place and date of the hearing which shall not be earlier than 14 days after the date on which the notice is sent.

(3) Any party to whom such notice has been sent may apply to the President in accordance with the provisions of Rule 9 for an alteration of the place or date of the hearing.

13.—(1) At the hearing the party claiming compensation shall begin and the other parties shall be heard in such order as the Tribunal may determine.

Procedure at hearing.

(2) Subject to the provisions of these Rules and to any direction given by the President, the procedure at the hearing of any proceedings shall be such as the Tribunal may direct.

14. If, on an appeal or application against a determination or assessment, the appellant or applicant does not appear at the time and place appointed for the hearing the President or the Tribunal may dismiss the appeal or application, and if any other party to the proceedings or any party to a reference does not appear at such time and place as aforesaid the President or the Tribunal may hear and determine the appeal, application or reference in his absence and may make such order as to costs as he or it thinks fit.

Default of appearance.

15. On the hearing of an appeal or application against a determination or assessment the appellant or applicant shall not be entitled to rely upon any grounds not stated in his notice of reference or statement of case or application unless the President or the Tribunal thinks it just in all the circumstances, and on such terms as to costs or adjournment or otherwise as he or it may think fit, to allow such additional grounds to be put forward as may appear to the President or the Tribunal to be material.

Appellant limited to grounds of appeal.

16.—(1) Evidence before a Tribunal may be given orally or, if the parties to the proceedings consent or the President or the Tribunal so orders, by affidavit, but the Tribunal may at any stage of the proceedings make an order requiring the personal attendance of any deponent for examination and cross-examination.

Evidence.

(2) The provisions of paragraphs (2), (3), (4), (5) and (6) of Rule 9 shall apply to an application to the President for leave to give evidence by affidavit.

Tribunal to sit in public.

Right of audience.

Expert witnesses.

View of land.

Disclosure of documents.

Failure to supply documents.

17. The Tribunal shall sit in public.

18. In any proceedings before the Tribunal any party may appear and be heard either in person, or by advocate, or by a representative appointed in writing and approved by the Tribunal.

19.—(1) Not more than one expert witness on either side shall be heard unless otherwise ordered.

(2) An application for leave to call more than one expert witness may be made to the President in accordance with the provisions of Rule 9 or may be made to the Tribunal at the hearing.

(3) Where more than one party intends to call an expert witness, each such party shall, within 28 days after being so requested by the registrar, send to the registrar a copy of each of the following documents relating to the evidence to be given by his expert witness, together with sufficient copies of the documents for service upon each of the other such parties, that is to say:—

(i) every plan and valuation of the land which is the subject of the proceedings (including particulars and computations in support of such valuation) which it is proposed to put in evidence;

(ii) a statement of any prices, costs, or other particulars, and any plans, relating to a property or properties other than the said land which are proposed to be given in evidence in support of any such valuation, or a statement that no such prices, costs, particulars, or plans will be relied upon.

(4) The registrar shall, within 7 days after receiving all the documents required to be supplied by the parties under the last foregoing paragraph, send to each party copies of the documents supplied by the other party.

(5) If an application for leave to call more than one expert witness is made at the hearing and is granted by the Tribunal, or if at the hearing any party seeks to rely upon any plans, valuations, or particulars which appear to the Tribunal not to have been sent to the registrar in accordance with the foregoing provisions of this Rule, the Tribunal shall, unless it is satisfied that no prejudice to any other party will arise, adjourn the hearing on such terms as to costs or otherwise as it thinks fit.

20. The Tribunal may, and shall at the reasonable request of any party to the proceedings, enter on and inspect the land which is the subject of proceedings before the Tribunal and, so far as may be practicable, any comparable land to which the attention of the Tribunal may be directed. The Tribunal shall give notice to the parties of its intention to inspect any land and the parties and their expert witnesses shall be entitled to attend the inspection.

21. Any party to any proceedings shall furnish to the registrar on his request any document or other information which the Tribunal may require and which it is in his power to furnish and shall afford to all other parties to the proceedings an opportunity to inspect such documents (or copies of such documents) and to take copies thereof: Provided that nothing in this Rule shall be deemed to require the furnishing of any information which it would be contrary to the public interest to disclose.

22. If it appears to the Tribunal that any party to proceedings before the Tribunal has failed to send a copy of any document required under these Rules to be sent to any other party or to the registrar, the Tribunal may direct that a copy of the document shall be sent as may be necessary and that the further hearing of the proceedings be adjourned, and may in any such case require the party at fault to pay any additional costs occasioned thereby.

23.—(1) A party to any proceedings before the Tribunal shall be entitled to apply to the Lands Officer in charge of the District within which the land, which is the subject of the proceedings, is situate for information concerning sales, registered at the Land Registry Office concerned, of comparable property in the neighbourhood of such land, and such information (including full particulars of property and sale price) shall be given to the party applying within 10 days from the date of the application, or within such longer period as may be approved by the President.

Information from Land Registry Office.

(2) The application to the Lands Officer must be made in writing and must be accompanied by a copy of the notice of reference, and the applicant must pay to the Lands Officer at the time of the application the appropriate fee for the search prescribed by any Law or public instrument.

24. The registrar shall have power to administer oaths and take affirmations for the purpose of affidavits used in proceedings before the Tribunal.

Administration of oaths.

25.—(1) The President may, on the application of any party to any proceedings, order any point of law which appears to be in issue in the proceedings to be disposed of at a preliminary hearing before the Tribunal, the President or a member or members of the Tribunal selected by the President for that purpose. If, in the opinion of the Tribunal, the President or such member or members, the decision on the point of law substantially disposes of the proceedings he or they may order that the argument shall be treated as the hearing of the case or may make such other order as may seem just.

Preliminary point of law.

(2) The provisions of paragraphs (2), (3), (4), (5) and (6) of Rule 9 shall apply to an application under this Rule.

26.—(1) The decision of the Tribunal on a reference or application shall be given in writing, together with a brief statement of the Tribunal's reasons for its decision.

Decision of Tribunal.

(2) Where an amount awarded or value determined by the Tribunal is dependent upon the decision of the Tribunal on a question of law which is in dispute in the proceedings, the Tribunal shall ascertain, and shall state in its decision, the alternative amount or value (if any) which it would have awarded or determined if it had decided otherwise on the question of law.

(3) The registrar shall send copies of the decision to every party who has appeared before the Tribunal.

(4) If any directions are given by the Supreme Court for the amendment of any decision of the Tribunal on which a case has been stated for the opinion of the Supreme Court, the amendment shall be made by the Tribunal accordingly and the registrar shall send copies of the amended decision to all persons to whom copies of the original decision were sent.

27. The Tribunal may, if it thinks fit, direct that any sum awarded by the Tribunal shall carry interest from the date of the award at the rate of 4 per centum per annum.

Interest on awards.

28. An offer of any sum, or of readiness to accept any sum, as compensation shall not be disclosed to the Tribunal until it shall have decided upon the amount of compensation to be awarded to the party to or by whom the offer was made, but a copy of the offer enclosed in a sealed cover may be sent to the registrar or delivered to the Tribunal at the hearing by the party who made the offer and shall be opened by the Tribunal after it shall have decided upon the amount of the compensation.

Offers.

29. Where the parties to any proceedings have agreed upon the terms of any order to be made by the Tribunal, particulars of the terms, signed by all the parties or by their advocates or agents, shall be sent to the registrar and an order may be made by the Tribunal in accordance with such terms in the absence of the parties, unless the Tribunal for any special reason requires their attendance.

Consent orders.

Costs.

*Amended:
See Suppl. 2*

Appendix B.

*J. G. Zelle
No. 1575*

d.d. 5-1-80

p. 2

*W. J. P. 30000
No. 1575
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19-57-96 Jan 12*

30.—(1) The costs of and incidental to any proceedings shall be in the discretion of the Tribunal.

(2) If the Tribunal directs that the costs of a party to the proceedings shall be paid by any other party thereto, the Tribunal may settle the amount of the costs by fixing a lump sum, or it may direct that the costs shall be taxed by the registrar on one of the scales of costs prescribed in Appendix B.

(3) In the absence of an agreement signed by the client, advocates as between themselves and their clients shall, subject to any order of the Tribunal, be entitled to charge and shall be allowed the fees prescribed in Appendix B, as are appropriate to the case.

(4) Where a client, after being furnished by his advocate with a bill of costs, fails or refuses to pay the amount thereof, or disputes the amount of such bill of costs, the advocate or the client, as the case may be, may apply to the registrar to tax the bill of costs, and the registrar shall tax the bill of costs accordingly.

(5) Where the Tribunal directs that only part of the costs of a party to the proceedings shall be paid by any other party thereto, the registrar in taxing a bill of costs between advocate and client may allow full costs in respect thereof.

(6) In the absence of an agreement signed by the client, an advocate may not recover against his client a greater amount of costs than the client would have recovered as between party and party if he had been successful.

(7) Every taxation of a bill of costs shall be subject to the same conditions and Rules of Court as regulate the taxation of costs in civil actions, either between party and party or between advocate and client, so far as the same are applicable.

(8) Any party dissatisfied with a taxation of costs by the registrar may, within 10 days of the taxation, serve on any other party interested therein and on the registrar objection in writing specifying the items objected to and the grounds of objection and asking for the taxation to be reviewed by the President in respect of such items.

(9) Upon such application the President may make such order as he thinks just, including an order as to the payment of the costs of the review, but the taxation of the registrar shall be final in respect of all matters to which objection shall not have been taken.

(10) A certificate of taxation may be executed as if it were a decision of the Tribunal.

Fees payable on exaggerated claim. Appendix C.

31.—(1) Where the amount awarded by the Tribunal in any case is less than two-thirds of the amount of compensation claimed the claimant shall pay to the Tribunal as fees, in addition to the fees payable under Appendix C, a sum equivalent to the remuneration payable to the members of the Tribunal other than the President, as determined by the Chief Justice with the approval of the Governor. Such fees may be directed by the President or the Tribunal to be deducted by the Acquiring Authority from the amount of compensation awarded, before payment thereof to the claimant, and to be paid to the registrar:

Provided that, where a reference, appeal or application is withdrawn or settled before the decision of the Tribunal is given, the Tribunal may, in its discretion, direct that the whole or part of such fees shall not be paid by the claimant.

(2) If the claimant shall fail to file with the Tribunal a written statement of the amount claimed by him giving sufficient particulars as provided by these Rules or directed by the President, the provisions of paragraph (1) of this Rule shall apply as if the amount awarded by the Tribunal had been less than two-thirds of the amount of compensation claimed.

32. A reference or application may be withdrawn by sending to the registrar a written notice of withdrawal signed by all parties to the proceedings or by their advocates or agents. Withdrawal of reference, etc.

33. The time appointed by or under these Rules for doing any act or taking any steps in connection with any proceedings, except the time appointed under Part III of these Rules, may be extended, on an application to the President in accordance with the provisions of Rule 9 upon such terms, if any, as the justice of the case may require, and such extension may be ordered although the application is not made until after the expiration of the time appointed. Extension of time.

PART III.—CASE STATED.

34. Any person who is aggrieved by a decision of the Tribunal as being erroneous in point of law may, within four weeks of the date of the decision, by notice in writing addressed to the registrar, require the Tribunal to state a case setting forth the facts on which the decision was based and the decision of the Tribunal thereon. Application for case stated.

35. The Tribunal shall, as soon as may be, state and sign the case and shall cause it to be sent by registered post to the person aggrieved. Statement of case.

36. The person aggrieved shall, within 14 days after receiving the case, lodge it (in triplicate) with the Chief Registrar of the Supreme Court, together with a notice (in triplicate) stating the grounds on which the decision of the Tribunal is alleged to be erroneous in point of law. The case shall be entered by the Chief Registrar in a register to be kept for that purpose. Lodging of case.

37. The aforesaid notice shall be served by the person aggrieved upon the registrar of the Tribunal and, together with a copy of the case, upon every party to the proceedings before the Tribunal within 14 days after receiving the case. Service of case.

38. The person aggrieved shall, when lodging the case with the Chief Registrar, furnish an address for service in Nicosia. Address for service.

39. The person aggrieved shall give the other party not less than 14 days' notice of the date fixed for the hearing of the case before the Supreme Court. Notice of hearing.

40. Where, on its own motion, the Tribunal reserves for the opinion of the Supreme Court a question of law in the form of a case stated, the registrar of the Tribunal shall, as soon thereafter as possible, transmit the case to the Chief Registrar, together with four typewritten copies thereof. The Chief Registrar shall serve on each party a copy of the case, and shall give the parties not less than 14 days' notice of the date fixed for the hearing of such case before the Supreme Court. Question of law reserved by Tribunal.

41. On the hearing of the case the Supreme Court may, if it thinks fit, amend the case or order it to be sent back to the Tribunal for amendment and shall have power to draw inferences of fact from the facts set forth in the case. Powers of Supreme Court.

42. The Chief Registrar of the Supreme Court shall notify the registrar of the Tribunal of the decision of the Supreme Court on the case and of any directions given by the Court thereon. Decision of Supreme Court.

43. The ordinary practice of the Supreme Court in civil appeals shall, so far as it is applicable and is not inconsistent with the provisions of this Part of the Rules, apply to a case stated by the Tribunal. Practice.

PART IV.—GENERAL.

44.—(1) Any notice or other document required or authorised to be served on any person for the purpose of these Rules shall be deemed to have been duly served if sent by pre-paid registered post to that person at his ordinary address or to his address for service specified in any notice given under these Rules. Any notice or other document required or authorised to be sent to the registrar shall be sent to him at the office. Service of notices.

(2) Any application or communication to be made to the President or to any member of the Tribunal in respect of any case shall be addressed to the registrar at the office.

Change of address.

45. Any party to any proceedings may at any time by notice in writing to the registrar and to all other parties to those proceedings change his address for service under these Rules.

Substituted service.

46. If any person to whom any notice or other document is required to be sent for the purpose of these Rules cannot be found, or has died and has no personal representative, or is out of Cyprus, or if for any other reason service upon such person cannot be readily effected in accordance with these Rules, the President or the Tribunal may dispense with service upon such person or may make an order for substituted service upon such other person or in such other form (whether by advertisement in a newspaper or otherwise) as the President or the Tribunal may think fit.

Failure to comply with Rules.

47. Any failure on the part of any person to comply with the provisions of these Rules shall not render the proceedings or anything done in pursuance thereof invalid unless the President or the Tribunal so directs.

Fees. Appendix C.

48. The fees specified in Appendix C to these Rules shall be payable to the registrar, in respect of the matters mentioned in the said Appendix.

Supplementary powers.

49. Where no provision is made by the Law or these Rules the President or the Tribunal shall have power to give directions on any matter of practice or procedure with a view to saving time or expense but so that no prejudice shall be caused to the parties concerned.

Application to pending proceedings.

50. These Rules shall apply to any proceeding which is pending at the date on which these Rules come into operation subject to such directions as the President or the Tribunal may think fit to give.

Transitional provisions.

51. Notwithstanding anything in the Law or these Rules, the Law shall not apply to any question or dispute for the determination of the amount of compensation where, before the 29th day of September, 1955, an application was made to a District Court to refer such question or dispute to arbitrators, and the hearing before such arbitrators was begun before the 9th day of February, 1956; and such question or dispute shall be determined by the arbitrators or the District Court as umpire, as the case may be, in accordance with the provisions of the law in force at the time when the application was originally made to the District Court.

Revocation of previous Rules. Gazettes: Suppl. No. 3: 9.2.1956 26.4.1956.

52. The Compensation Assessment Tribunal Rules, 1956, and the Compensation Assessment Tribunal (Amendment No. 1) Rules, 1956, are hereby revoked.

APPENDIX A.

Form 1.

NOTICE OF REFERENCE.

(Rule 3)

In the Compensation Assessment Tribunal.

Between :

A..... B.....
and Claimant,

C..... D.....
Acquiring Authority.

To: C N D I/ of comp (being of the pensa out b A at the (Giv of the ((((which (not (in s acq part Aut par cal No

To : The Registrar,
Compensation Assessment Tribunal,
Nicosia.

Description of land to which the Reference relates

I/We
of (being a person(s) claiming
compensation in respect of the land described above)

OR
(being the authority liable for the payment of compensation (if any) in respect
of the land described above) hereby apply for the determination by the Com-
pensation Assessment Tribunal of the question of which particulars are set
out below :—

All communications regarding the Reference should be addressed to me/us
at the address shown below (or, to my/our advocate/agent Mr.
....., of.....).

(Give full address of a person within the municipal limits of the main town
of the District in which the land is situated).

PARTICULARS.

(1) Name and address of Acquiring Authority.....

(2) Name and address of claimant.....

(3) Nature of question and enactment under which claim is made.....

(4) Reference to *Cyprus Gazette* (date, page and notification No.) in
which notice or notices of acquisition and/or notices to treat were published

(5) Date of letter of offer and date of letter of refusal (as the case may be)

(6) Date of entry on property acquired (if the Acquiring Authority has
not entered on the property it should be so stated).....

(7)—(a) Amount and nature of compensation claimed with particulars
in support thereof (if this Notice of Reference is signed by the claimant)

OR
(b) The Acquiring Authority submits that the value of the property
acquired is (state amount, particulars and nature of compensation) (these
particulars should be given only if the notice is signed by the Acquiring
Authority)

OR
(c) Full grounds of appeal or application (including amounts and
particulars).....

(8) Interest in respect of which compensation is claimed.....

(9) Lessee's name and full particulars of tenancy (if any).....

(10) Whether the party(ies) by whom this Notice is signed proposes to
call an expert witness to give evidence in support of any valuations.....

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

(Sgd.).....

Advocate for Acquiring Authority/Claimant.

Received on theday of19.....

Registrar.

Note.—Where any reference is by way of appeal from an authority having
statutory powers to determine compensation, there shall be sent to the
registrar with the notice of reference a copy of the decision, assessment
or notice of the determining authority (Rule 3 (2)).

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shall be addressed to the

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document is required to
nd, or has died and has
if for any other reason
in accordance with these
with service upon such
upon such other person
newspaper or otherwise)

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thing done in pursuance
so directs.

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the said Appendix.

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such directions as the

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dispute to arbitrators,
before the 9th day of
be determined by the
may be, in accordance
en the application was

s, 1956, and the Com-
ules, 1956, are hereby

Claimant,

ing Authority.

NOTICE BY REGISTRAR.

(Rule 4)

Compensation Assessment Tribunal,
Supreme Court, Nicosia.

Reference No...../19.....

Sir,

Pursuant to Rule 4 of the Compensation Assessment Tribunal Rules, 1956, I send herewith a copy of a Notice of Reference received from....., of....., which has been entered in the Register of References of this Tribunal under Reference No...../19....

2. You are required to give to me and to the claimant (or Acquiring Authority) at his/their address for service shown in the Notice of Reference, within ten days from to-day, a written notice stating :—

- (a) the address at which documents may be served upon you ; and
- (b) whether you propose to call an expert witness to give evidence in support of any valuations.

3. If you intend to call an expert witness you are required to comply with the provisions of Rule 19 (3) of the Compensation Assessment Tribunal Rules, 1956, that is to say, to send to me, within 28 days from to-day, a copy of each of the following documents relating to the evidence to be given by your expert witness, together with..... copies of the documents for service upon the other party(ies), that is to say :—

- (i) every plan and valuation of the land which is the subject of the proceedings (including particulars and computations in support of such valuation) which it is proposed to put in evidence ;
- (ii) a statement of any prices, costs, or other particulars, and any plans, relating to a property or properties other than the said land which are proposed to be given in evidence in support of any such valuation, or a statement that no such prices, costs, particulars, or plans will be relied upon.

4.—(a) (*To the Claimant*) You are further required to give to me and to the Acquiring Authority at their address for service, within 28 days from to-day, a written statement showing the amount claimed by you as compensation with full particulars thereof. In this connection your attention is invited to Rule 31 of the Compensation Assessment Tribunal Rules, 1956, regarding the fees payable by claimants on exaggerated claims, which provides that where the amount awarded by the Tribunal in any case is less than two-thirds of the amount of compensation claimed, the claimant shall pay to the Tribunal, the undermentioned additional fees :—

*Amount of claim.**Fees in respect of each day of hearing before the Tribunal.*

4.—(b) (*To the Acquiring Authority*) You are further required to give to me and to the claimant at his address for service, within 28 days from to-day, a written statement showing the valuation of the land which is the subject of the proceedings with full particulars in support thereof.

5. You are further requested to supply me with four copies of each of the documents that will be sent to me (which must be typed double-spaced with sufficient margin).

Registrar.

APPENDIX B.
ADVOCATES' FEES IN REFERENCE.
(Rule 30)

Where the sum awarded—

	does not exceed £50	exceeds £50 but not £100	exceeds £100 but not £200	exceeds £200 but not £500	exceeds £500 but not £2,000	exceeds £2,000
	£ mils	£ mils	£ mils	£ mils	£ mils	£ mils
1. Instructions to a party to a reference:						
From	0.750	1.250	2.000	2.500	3.000	4.000
To	1.500	2.000	2.500	3.000	4.500	7.000
2. Preparing notice of reference	1.250	1.500	1.750	2.500	3.500	5.000
3. Preparing statement of claim or valuation (rule 6) and other particulars:						
From	1.000	1.250	1.750	2.500	3.000	4.000
To	2.000	2.500	3.000	4.000	5.000	6.000
4. Preparing written statement of application, where necessary, and one copy:						
From	0.400	0.500	0.600	0.750	1.000	1.500
To	0.600	0.750	1.000	1.500	2.000	3.000
5. Preparing notice of application and one copy	0.150	0.200	0.250	0.400	0.500	0.750
6. Attending Tribunal or Supreme Court to make <i>ex parte</i> application, when no notice is required:—						
In Tribunal:—						
From	0.500	0.750	1.000	1.500	2.000	3.000
To	0.750	1.500	2.000	3.000	4.000	5.000
In Supreme Court:—						
From	0.750	1.000	1.500	2.000	3.000	4.000
To	1.500	3.000	4.000	5.000	6.000	7.000

Repealed
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Registrar.

From	4.500	7.000	9.000	12.000	14.000
To	4.000	7.000	9.000	12.000	14.000
9. Attending to hear judgment deferred in Supreme Court	1.500	3.000	4.000	5.000	6.000
10. Appearance at hearing of case stated—per diem or part thereof:—					
From	4.000	6.000	8.000	10.000	12.000
To	7.000	11.000	13.000	15.000	18.000
11. Examining and taking notes of evidence of each witness whose costs are afterwards allowed on taxation:—					
From	0.250	0.500	0.750	1.000	1.000
To	0.500	0.750	1.250	2.000	2.000

Where the sum awarded—

	does not exceed £50 £ mls	exceeds £50 but not £100 £ mls	exceeds £100 but not £200 £ mls	exceeds £200 but not £500 £ mls	exceeds £500 but not £2,000 £ mls	exceeds £2,000 £ mls
12. Drawing up an affidavit: From	0.250	0.350	0.500	0.750	1.000	1.000
To	0.600	0.800	1.250	1.500	2.000	2.000
13. Every necessary letter before or after reference	0.250	0.250	0.250	0.250	0.250	0.250
14. Applying for summons to witness whose costs are allowed	0.150	0.200	0.250	0.250	0.250	0.250
15. Preparing any notice <i>inter partes</i> and	1.000	1.500	2.000	3.000	4.000	5.000
16. Preparing notice of appeal and grounds thereof under rule 36	0.300	0.500	0.600	0.750	1.000	1.500
17. Preparing bill of costs	0.400	0.600	0.750	1.000	1.500	2.500
18. Attending Registrar on taxation						
19. Attending President of Tribunal on review of taxation:—						
From	0.750	1.250	1.500	2.000	3.000	4.000
To	1.500	2.250	3.000	4.000	5.000	6.000
20. Attending Registrar not otherwise provided for	0.150	0.200	0.250	0.250	0.250	0.250
21. For perusing papers for case stated where the advocate did not appear in the Tribunal:—						
From	1.500	2.500	3.000	4.000	5.000	6.000
To	3.000	5.000	5.000	6.000	7.000	8.000

22. For attending the Tribunal with a view to appearance at the hearing, where the hearing is adjourned for want of time, the minimum fee for appearance may be allowed, unless the Tribunal otherwise directs.

23. If the reference or appeal is settled when it comes on for hearing, the Tribunal or Supreme Court may allow fees as for hearing.

24. In other proceedings not provided for above, the Tribunal shall specify the scale to be applied.

25. In determining the scale applicable the following shall be the criteria:—

(a) From institution of reference down to decision—the amount awarded by the Tribunal;

(b) In respect of cases stated—the amount or value of the subject-matter involved in the case stated.

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APPENDIX C.
FEES
(Rule 48)

The following fees shall be paid in stamps to be disposed of as directed in each case:—

		£	mils
R. & R. by the Comptroller Assessment Tribunal Rules 1978 Rule 2	1. On a notice of reference under rule 3 (to be affixed to the notice)	1.000	
	2. On any application to the President or the Tribunal (to be affixed to the application)	0.500	
	3. On a notice for a case stated under rule 34 (to be affixed to the notice)	1.000	
	4. On taxation of a bill of costs: for every £1 or fraction thereof claimed (to be affixed to the taxing book)		0.025
	5. On entering any order, swearing affidavits, issuing summons to witnesses, furnishing copies of proceedings		Same fees as in civil proceedings relating to claims of more than £25 to be paid in stamps and disposed of as in civil proceedings.

None of the above fees shall be charged in respect of a proceeding taken on behalf of a Government Department.

Given under the hand and official seal of the Governor and the hand of the Chief Justice, at Nicosia, this 28th day of November, 1956.

ERIC HALLINAN,
Chief Justice.

No. 1152.

THE CRIMINAL PROCEDURE (TEMPORARY PROVISIONS)
LAW, 1955.

ORDER IN COUNCIL No. 2888

MADE UNDER SECTION 5.

In exercise of the powers vested in him by the proviso to section 5 of the Criminal Procedure (Temporary Provisions) Law, 1955, His Excellency the Governor, with the advice of the Executive Council, has been pleased to order as follows:—

1. This Order may be cited as the Criminal Procedure (Temporary Provisions) (Continuance) (No. 2) Order, 1956.

2. The Criminal Procedure (Temporary Provisions) Law, 1955, as amended by the Emergency Powers (Amendment of Law No. 40 of 1955) Regulations, 1956, and by the Emergency Powers (Amendment of Law No. 40 of 1955) (No. 2) Regulations, 1956, shall continue in operation for a period of six months from the 1st day of January, 1957, that is until the 30th day of June, 1957, and shall then expire unless continued in force for any further period or periods of six months by the Governor-in-Council, by Order published in the *Gazette*, under the provisions of the proviso to section 5 of the said Law.

Made this 24th day of November, 1956.

By Command of His Excellency the Governor,
M. R. POPHAM,

Clerk of the Executive Council.