

Commissioner, retain the same until the commencement of the next summer season in the following year, when such unexpended moneys shall be handed over to the Chairman of the Board.

Borrowing
powers of
Board.

7. The Board may obtain loans from the Government or the Loan Commissioners on such terms as to interest or otherwise as may be agreed upon, and the Government or the Loan Commissioners may grant such loans accordingly.

Annual
audit.

8. The accounts of the administration of the Troödos Public Health Fund shall be audited annually on or before the 1st day of December in each year by any two competent persons appointed in that behalf by the Chief Secretary.

Regulations
made by
Board.

9. The Board with the approval of the High Commissioner may make regulations for the carrying out of all or any of the provisions of this Law. Such regulations shall be published in the *Cyprus Gazette* and shall have the force of law from the date of such publication.

Board to sue
and be sued
in the name
of Board.
Penalty.

10. The Board may sue and be sued in the name of the Troödos Public Health Board.

11. Any person committing a breach of the provisions of this Law or any regulation made thereunder shall be liable for a first offence to a fine not exceeding one pound, and for a second or any subsequent offence to a fine not exceeding five pounds or to imprisonment not exceeding one month or to both such fine and imprisonment.

All fines shall be paid to the Troödos Public Health Fund.

PUBLIC LANDS LEASES.

11 OF 1882.

FOR FACILITATING THE LEASING OF UNOCCUPIED AND PUBLIC LANDS
BY THE GOVERNMENT FOR BUILDING PURPOSES.

ROBERT BIDDULPH.]

[June 6, 1882.

Power to
High Com-
missioner to
grant leases.

1. The High Commissioner may by writing under his hand and the Public Seal of this Island, subject to the provisions hereinafter contained, grant leases for building purposes of any unoccupied land within the Island or any other lands to which no person shall

have a title or claim of title at the time of the making of the lease, for any term of years not exceeding five hundred years, to take effect upon the making of the lease, and for such rent, either nominal or beneficial, and under and subject to such covenants on the part of the lessee, conditions and stipulations as to the High Commissioner in Council may seem fit. Every such lease shall contain a covenant by the lessee that he will pay any rent reserved by the lease, and a proviso for re-entry by the High Commissioner or his duly authorized agent on non-payment of rent or non-performance of the covenants contained in the lease. Provided that nothing herein contained shall authorize the leasing of any lands except for the purpose of providing a site for the erection of a dwelling house or dwelling houses, with such usual and necessary buildings, outhouses, and offices as are commonly appurtenant thereto, and with a reasonable extent of land to be devoted to the use and enjoyment of the persons inhabiting the same.

2. Every lease granted under this Law shall be binding upon the lessee and his successors by inheritance or by assignment (voluntary or otherwise); and no assignment shall release the lessee from his liability under the lease, except with the consent of the High Commissioner.

Lessee and successors bound by lease.

3. When any application is made for a lease under this Law the Chief Secretary shall cause to be inserted in the *Cyprus Gazette* a notice containing a description of the land for a lease of which application has been made, and stating that the same is claimed to be the property of the Government, free from all rights of every nature whatsoever, and calling on all persons having or claiming any interest in or right over the land to notify their claims in writing to the Commissioner of the District within three months from the date of the notice. A copy of the notice in English, Turkish and Greek shall be served on the Mukhtar of every village and on the President or Superior of every monastery within a distance of three English miles, or if there be no village or monastery within that distance then upon such of the villages and monasteries, if any, in the neighbourhood as the High Commissioner shall direct. Such copies shall be posted and served not later than fourteen days after the publication of the original notice.

Notice of application for lease to be published.

4. Every claim to possession notified in pursuance of and within the time specified in the notice required by section 3 shall be submitted to the High Commissioner, who shall have power to

Claims to possession of land.

admit or reject it as he shall think fit; and if he shall reject any claim it shall be forthwith heard and finally adjudicated upon in the Queen's High Court of Justice by the Judicial Commissioner sitting with at least two assessors.

Rights of forest, etc., extinguished on compensation.

5. Every claim to any right of forest, right of pasture, or other right of a like nature notified in pursuance of and within the time limited by the notice required by section 3, may without further proceedings be put an end to on compensation being made for the same in manner hereinafter provided, unless the person or a majority of the persons claiming the right shall object to it being put an end to notwithstanding that compensation is to be made therefore.

Proceedings where rights of forest, etc. not admitted or determination objected to.

6. In case any claim to any right of forest, right of pasture or other right of a like nature notified in pursuance of and within the time limited by the notice required by section 3, shall not be admitted by the High Commissioner, or in case the person or a majority of the persons claiming any such right shall object to it being put an end to notwithstanding that compensation is to be made for it, every such claim which shall not be admitted by the High Commissioner and every such objection shall be heard and finally adjudicated upon in the Queen's High Court of Justice by the Judicial Commissioner sitting with at least two assessors, and on hearing and adjudicating upon any such objection the Court shall consider whether, having regard to the extent and nature of the rights claimed and the circumstances of the case, it is possible without causing injustice to the persons claiming such rights to put an end thereto on making due compensation therefor; and the Court shall not direct that the rights are to be extinguished unless it shall appear to the Court that they can, without causing injustice to the persons claiming them, be put an end to on due compensation being made therefor, in which case the Court may direct that the rights may be put an end to.

Valuation of rights for compensation.

7. The value of all rights of forest, rights of pasture or other rights of a like nature which may be admitted or decided to be valid and which may under the provisions of this Law be commuted shall with all convenient speed be valued by the Mejlis Idaré of the Qaza in which the land, for a lease of which application is made, is situate.

Every Mejlis Idaré in making an assessment under the provisions of this section shall decide to what persons and for what purpose

the money estimated as the compensation for any of the rights aforesaid shall be paid.

No claim to any such right as aforesaid notified after the time limited in that behalf by the notice required by section 3 shall entitle the persons notifying it to any compensation whatsoever.

8. If at the expiration of the time limited by any notice under the provisions of section 3 no claim has been notified in pursuance thereof, or if any claim so notified has been disallowed, and it does not appear from the records of the Land Registry Office that there is any person entitled to the possession of the lands, the applicant for a lease may within one week after the expiration of the time so limited, or after the issuing of the decision disallowing any claim, as the case may be, require a valuation of the land to be made by the Mejlis Idaré of the Qaza in which it is situate, and such valuation shall thereupon be made.

Lessee may apply to have land valued to meet future claims.

9. If no claim of title has been notified in pursuance of and within the time limited by the notice required by section 3, or if any such claim has been so notified and has been disallowed by the Judicial Commissioner, the High Commissioner at any time after the several valuations hereinbefore required or authorized to be made, or such of them as shall have been called for, shall have been finally determined, may execute the lease for which application has been made; and all claims to possession of the land comprised in the lease and all claims to any rights of forest, rights of pasture or other rights of a like nature over the land, shall upon execution of the lease be absolutely barred and the persons making the claims shall have no remedy for disturbance except such compensation as is by this Law provided.

If no claim to the land lease may be granted.

10. Every lease granted under the provisions of this Law, together with a statement of all rights, if any, commuted on the making thereof and a copy of every decision of the Judicial Commissioner, or of any Mejlis Idaré relating to the granting of the lease, shall be registered in the Land Registry Office; and no copy of any such lease shall be received in evidence in any legal proceeding unless it purports to be sealed with the seal of the Land Registry Office and is certified under the hand of the proper officer of that office to be a true copy of the original.

Leases and Judicial decisions to be registered.

11. The High Commissioner in Council may from time to time fix the fees to be charged by the Land Registry Office on the registration of leases made under the authority of this Law, and for copies thereof; and subject to the provisions of any order of the

Fees to be charged on registration, etc.

High Commissioner in Council so made and until any such order shall be made the following fees shall be charged, viz.:—

On registration, a fee of ten shillings for every British statutory acre or part of an acre of land leased; and the lessee shall be entitled to receive one copy of his lease sealed and certified to be a true copy without payment of any further fee;

For every subsequent copy of a lease, a fee calculated after the rate of five shillings for the first two hundred words and one shilling for every subsequent one hundred words contained in the lease.

Claims to possession after granting of lease, how dealt with.

12.—(1.) Where any claim of possession of land leased or intended to be leased under the provisions of this Law is made after the expiration of the time limited in that behalf by the notice required by section 3, the Judicial Commissioner, if he is of opinion that the person presenting the claim was prevented by some legal disability or unavoidable accident from presenting it within the time so limited, may hear and determine the claim; and if the claim is established, the person establishing it shall, in the event of the lease applied for being granted, receive from the lessee of the land the value thereof at the time of the making of the lease, but shall be entitled to no other compensation for the appropriation of the land to the lessee: Provided that if the land has been valued at the request of the lessee under the provisions of section 8, the valuation so made shall be deemed to be the value at the time of the making of the lease; and if the land has not been so valued the value shall for the purposes of this section be estimated by the Mejlis Idaré of the Qaza in which the land is situate.

Lessee having paid value to become absolute owner.

(2.) Where the lessee has paid the value as aforesaid he shall be entitled to have the land registered in his name in the books of the Land Registry Office free from the rent reserved by and the revision incident to the lease, and from all covenants and conditions contained therein, for the same estate and interest as though the land had been purchased by him from the person to whom he has paid the value; and such registry may be made without the assent of the person to whom the value has been paid as aforesaid. After the registration it shall be lawful for every person in whose name the land shall be registered without further permission to erect thereon all such and the same buildings as he might have erected under the provisions of the said lease, to be used for the same purposes as those for which the same buildings might have been used under such provisions; and every part of the land on which any such buildings may be erected (whether erected prior or subsequent to the registra-

tion) together with so much of the land contiguous to the buildings as may reasonably be required to be used therewith for purposes of habitation, may on application be converted into mulk and so registered in the books of the Land Registry Office without payment of any fees or charges.

13. Every decision of the Mejlis Idaré of the Qaza under the provisions of this Law shall be final and conclusive unless appealed against to the Central Mejlis Idaré within one month from the issuing thereof by any person affected thereby, and the Central Mejlis Idaré shall entertain every such appeal and give their decision thereon as soon as practicable after it has been made, and every such decision shall be binding and conclusive on all parties to the appeal.

Appeals from local Mejlis Idaré.

14. Every notice required by section 3 to be served upon the Mukhtar of every village shall be sufficiently served by leaving it at the residence of the Mukhtar; and every notice required by this Law to be served on the President or Superior of any monastery shall be sufficiently served by leaving it at the monastery of which he is President or Superior.

Notices, how served.

15. All expenses incurred in ascertaining and disposing of claims and in estimating compensations under the provisions of this Law or otherwise in and about the making of a lease shall be borne by the person applying for a lease of the land in respect of which the claims and estimations are made, unless the High Commissioner in Council shall otherwise direct, and the High Commissioner in Council may direct that all or any such expenses shall be defrayed out of the Island revenue.

Expenses of proceedings to obtain lease.

16. The High Commissioner with the advice and assistance of the Judicial Commissioner may from time to time by writing under the hand and official seal of the High Commissioner and under the hand of the Judicial Commissioner make rules and orders for the regulation of all proceedings under this Law before the Judicial Commissioner or the Mejlis Idaré, and may prescribe the fees to be taken under this Law in respect of such proceedings and the persons by and to whom the fees are to be paid.

Power to frame rules of procedure and prescribe fees.

17. In respect of all lands leased under this Law there shall be paid by the lessee and his successors by inheritance or assignment annually during the continuance of the term created by the lease, by way of Vergghi Kimat in respect of the property comprised in

Vergghi payable in respect of lands leased.

the lease, a sum equal to four per thousand on the capital value of the lands together with all such buildings, constructions and trees as may from time to time be found thereon.

Such Verghi shall be assessed and collected at the same periods and in like manner as the Verghi payable in respect of other immovable property.

Short title.

18. This Law may be cited as the Public Lands (Leases) Law, 1882.

PUBLIC LOANS.

13 OF 1897.

TO ESTABLISH A PUBLIC LOAN FUND.

[August 3, 1897.]

Loan Com-
missioners.

1. For the purpose of granting loans from the fund established by this Law, and for the purpose of the execution of this Law and of any enactment passed or hereafter to be passed authorizing or referring to such loans, there shall be a Board of Commissioners, in this Law referred to as the "Loan Commissioners."

Constitution
of Loan Com-
missioners.

2. The Loan Commissioners shall consist of the following official members, who shall hold office *ex-officio*; that is to say, the High Commissioner, the Chief Secretary, the Receiver-General, and the Director of Agriculture, for the time being; and of four unofficial members, taken from the elected members of the Legislative Council for the time being, of whom one shall be chosen from their own number by the members elected by the Mahommedan voters, and three others from their own number by the members elected by the non-Mahommedan voters.

23, 1923, 2.

In the event of there being an equality of votes the High Commissioner shall nominate one or more unofficial members, as the case may require, from among the persons obtaining the equal number of votes.

For the purposes of this section an officer appointed to act in any of the above-mentioned offices shall be deemed to be the permanent holder thereof.

Fund vested
in Com-
missioners.

3. For the purposes of this Law the following moneys, in this Law called "The Fund," shall be deemed to be vested in the Loan Commissioners; that is to say:—

- (1.) The unexpended balance standing to the credit of the Agricultural Bank fund;