



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3091 OF 13TH JANUARY, 1944.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 4 OF 1944.

**A LAW TO MAKE BETTER PROVISION FOR THE PREVENTION
OF THE SPREADING OF MALARIA.**

C. C. WOOLLEY,
Governor.

[*11th January, 1944.*]

BE it enacted by His Excellency the Governor and
Commander-in-Chief of the Colony of Cyprus as
follows :—

1. This Law may be cited as the Public Health (Anti- Short title.
Malaria) Law, 1944.

Interpretation.

2. In this Law unless the context otherwise requires—

“ Director of Medical Services ” means the Director of Medical Services to the Government and includes any person authorized by him, for all or any of the purposes of this Law ;

“ mosquito ” means the insect commonly so called, that is, an insect belonging to the dipterous family Culicidæ, and includes its eggs, larvæ and pupæ ;

“ occupier ” means the person in occupation of any premises or having the charge, management or control thereof, either on his own account or as agent of another person, but does not include a lodger ;

“ owner ” includes a co-owner, and the person for the time being receiving the rent, or any part of the rent, of any premises, whether on his own account or as agent, trustee or receiver, or who would receive the same if the premises were let to a tenant ;

“ premises ” includes houses, buildings and lands, whether open or enclosed, whether built on or not, whether public or private, and whether maintained under statutory authority or not and also includes similarly owned and maintained lighters, barges and other vessels whether on water or not.

Right of entry and inspection.

3.—(1) Subject to the provisions of sub-section (3) of this section the Director of Medical Services shall have power between the hours of sunrise and sunset to enter and inspect any premises for the purpose of:—

- (a) ascertaining whether such premises or anything therein or thereon are or is in a condition favourable to the breeding or harbouring of mosquitoes ;
- (b) ascertaining whether any breach of this Law or of any regulations made thereunder has been or is being committed therein or thereon ; and
- (c) generally carrying out the provisions of this Law or of any regulations made thereunder.

(2) If the occupier or owner of such premises obstructs or prevents such entry, or if it is impossible otherwise to effect entry, it shall be lawful for the Director of Medical Services to break open the premises for the purpose of entry.

(3) No entry shall be made into an inhabited dwelling house without the consent of the occupier or an order of a member of a District Court and then only on condition that the Director of Medical Services shall be accompanied by a Mukhtar or an Aza or a member of the Police Force.

4.—(1) The Director of Medical services if, after an entry and inspection as in section 3 of this Law provided, he deems it expedient that any measures should be carried out, in respect of the premises entered and inspected, for the prevention of the breeding or harbouring of mosquitoes, may either—

Power to
Director of
Medical
Services to
order anti-
mosquito
measures.

- (a) by any officer authorized by him in writing either generally or specially for that purpose, carry out with the consent of the owner or occupier of the premises any or all of such measures, and the cost of carrying out the same may be met from public funds ; or
- (b) by notice in writing to be served on the owner or occupier of the said premises, order him within a specified time, not being less than seven days from the date of service, to carry out at his cost any or all of such measures in respect of the said premises :

Provided that—

- (i) if the Director of Medical Services after due inquiry certifies that any such owner or occupier has not the means to meet the cost of complying with any notice under this paragraph, such cost or any part thereof may, with the consent of the Governor, be met from public funds ; and
- (ii) it shall be in the discretion of the Director of Medical Services to decide whether a notice under this paragraph should be served on the owner or the occupier of the premises as he may consider just in the circumstances of each case.

(2) If the owner or occupier of the premises served with a notice under paragraph (b) of sub-section (1) of this section fails to comply with the requirements thereof within the time therein specified, the Director of Medical Services may enter upon such premises and may carry out or complete the required work thereon and the cost of carrying out or completing such work shall be recoverable from the person in default, as in sub-section (2) of section 7 of this Law provided.

5. Where there is any marsh land which in the opinion of the Director of Medical Services is a source of malaria and there exists in the neighbourhood any main drain or other reasonable facilities for drainage the Director of Medical Services may enter upon any such land and thereon make such connections and execute such works as in his opinion may result in the drainage of such land :

Drainage
of marsh
land.

Provided always that compensation shall be paid to the owner or occupier of such land for any damage or loss caused in consequence of any connections or works made or executed thereon, other than the loss of the use of the water on such land.

Protection
of Director
of Medical
Services.

6. No civil or criminal proceedings shall be instituted against the Director of Medical Services or any of the officers of the Medical Department in respect of any act *bona fide* done or omitted to be done for the purpose of carrying out the provisions of this Law or of any regulations made thereunder.

Penalties.

7.—(1) Any person who—

- (a) contravenes or fails to comply with any of the provisions of this Law or of any notice given, or regulations made, thereunder;
- (b) obstructs or in any way hinders the Director of Medical Services in carrying out any of the provisions of this Law or of any regulations made thereunder,

shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine.

(2) In addition to any penalty as in sub-section (1) of this section provided the Court trying the offence shall order any person convicted for failing to comply with a notice issued under paragraph (b) of sub-section (1) of section 4 of this Law to pay any costs incurred by the Director of Medical Services in carrying out the measures necessary to comply with such notice.

Regulations.

8.—(1) The Governor in Council may make regulations for carrying into effect the provisions of this Law.

(2) In particular and without prejudice to the generality of the foregoing power such regulations may provide for all or any of the following matters, that is to say—

- (a) for the carrying out of measures and works for the prevention of the breeding or harbouring of mosquitoes;
- (b) for the protection of any works carried out for the prevention of the breeding or harbouring of mosquitoes.

Repeal
15 of 1924.

9. The Public Health Anti-Malaria Law, 1924, is hereby repealed.

H. M. FOOT,

11th January, 1944.

Colonial Secretary.