

or of other metals, coloured fires and every other substance, whether similar to those above-mentioned or not, used or manufactured with a view to produce a practical effect by explosion or a pyrotechnic effect; and includes fog signals, fireworks, fuzes, rockets, percussion caps, detonators, cartridges, ammunition of all descriptions, and every adaptation or preparation of an explosive substance as above defined;

“Petroleum” means any rock oil, rangoon oil, burmah oil, oil made from petroleum, coal, schist, shale, peat or other bituminous substance, and any products of petroleum or of any of the above-mentioned oils;

“Inflammable substance” means petroleum and any other substance to which Part 2 or any portion of Part 2 of this Law, has been or shall be applied by an Order of the High Commissioner in Council.

18. This Law may be cited as the Explosives and Petroleum Law, 1882. Short title.

FAMAGUSTA IMPROVEMENT.

12 OF 1898.

TO PROVIDE FOR THE IMPROVEMENT OF THE TOWN OF FAMAGUSTA.

[August 9, 1898.]

WHEREAS it is expedient to make certain provisions and to create special powers for the purpose of laying out anew the Town of Famagusta, and generally for the improvement thereof:

BE it therefore enacted:—

1. This Law may be cited as the Famagusta Improvement Law, 1898. Short title.

2. In this Law:—

Definition.

“Town” means the town of Famagusta as hereinafter defined;

“Town of Famagusta” means the area enclosed within the counterscarps of the ancient fortifications of the said town and the sea;

“ Municipality ” means the Municipal Council or Commission duly constituted by law to exercise municipal authority and government within the Town of Famagusta.

Plans.

3. The Municipality shall, whenever required so to do by the High Commissioner, prepare a plan of the Town of Famagusta, showing:—

- (1.) The position, extent and area of all existing streets, buildings and other spaces therein;
- (2.) The manner in which it is desirable that the town shall be divided and laid out into streets, open spaces and tenements, so as to secure the proper rebuilding, reconstruction and sanitation of the town;
- (3.) The tenements in the possession or occupation of private persons which will be affected by the division and laying out.

And for the aforesaid purposes the High Commissioner may afford the Municipality such assistance as may appear to him to be desirable.

Deposit of plans.

4. Every such plan when completed shall be deposited in the office of the Municipality and shall remain open for the inspection of any person desiring to see it at any reasonable hour without the payment of any fee.

Notices of the deposit of any such plan shall be posted in conspicuous places within the town.

Objections, how made.

5. Any person who considers that he will be prejudiced or injuriously affected by the proposed laying out or reconstruction of the town shall make his objections thereto in writing, and shall deposit a copy of them at the office of the Municipality.

Submission and revision of plans.

6. After the lapse of two months from the date of its being deposited, the plan, with any objections thereto as aforesaid, shall be forwarded by the Municipality to the High Commissioner, and the High Commissioner in Council, after considering it, may alter or amend it in any way which to him may seem expedient.

A copy of the plan as finally settled by the High Commissioner in Council shall be certified by the clerk of the Council and shall be deposited in the office of the Municipality, and shall remain open for inspection by any person desiring to see it at any reasonable hour without the payment of any fee.

7. After the plan is so deposited the Municipality shall proceed to lay out the Town of Famagusta in accordance with it, and for this purpose shall have the following powers and duties:—

Powers with regard to laying out Town.

- (1.) The Municipality may acquire the land shown on the plan as required for streets or drains as if the sanction of the High Commissioner for the acquisition of the land had been notified under section 45 of the Municipal Councils Law, 1885;
- (2.) The Municipality shall proceed to make the streets and drains and to clear the open spaces shown on the plan;
- (3.) The Municipality shall require the owners of the land comprised within the Town of Famagusta to lay out and divide it in accordance with the plan;
- (4.) The Municipality shall apply to the Registrar-General to have the lands in the town divided as shown on the plan and the Tapou Registration thereof made in accordance with the division;
- (5.) The Municipality shall proceed to assess in the manner hereinafter provided the value of the several tenements and holdings in the town as laid out and divided on the plan.

8. In assessing the value of tenements under the powers contained in this Law the Municipality shall take into account the enhancement of value consequent upon the reconstruction and improvement of the town.

Assessment.

9. The Municipality, with the sanction of the High Commissioner, may borrow such sums as may be necessary to enable them to carry out the provisions of this Law.

Borrowing powers.

10. The total cost of laying out the town in accordance with the said plan, and of constructing the streets and drains and of reserving the open spaces shown in the plan, and all sums obtained by the Municipality to enable them to carry out the provisions of this Law, shall be and remain a first charge on all the lands comprised in the town until they are fully repaid with all interest which may accrue thereon; and the amount of such cost shall be apportioned by the Municipality in the manner provided by this Law on the land as divided in the plan.

Repayment of expenses incurred in laying out Town.

Provided always that this charge shall not operate on any lands or buildings belonging to the Government and used for public purposes, or on the space occupied by the ancient fortifications, or on any ancient building not put to profitable use, or on any property now used as a mosque, church or school or for the purpose of religious worship, or on any land in respect of which the improvement charge has been fully paid.

Charge on
owners.

11. The amounts expended by the Municipality shall be repaid by the owners of the property within the town within a period not exceeding twenty years, in proportion to the value of the property as assessed as aforesaid held by the owners, by equal annual instalments, with interest on the amount at any time remaining unpaid at the rate of five per cent. per annum. Such amount shall be termed the "improvement charge" and shall remain a first charge on the property notwithstanding any devolution or sale until fully paid with all interest due thereon.

Appeal to
District
Court.

12. Any person aggrieved by any assessment made by the Municipality may apply to the District Court; and the District Court is hereby empowered to hear the application and determine and fix the amount to be taken as the assessed value.

Proceedings
in default of
payment of
improvement
charge.

13. Where the owner of any tenement makes default in the payment of any instalment of any improvement charge or of any interest due thereon, the Municipality may, without any notice to him, apply to the District Court for an order of sale of the property in question; and the District Court, on the production of a certificate purporting to be signed by the clerk of the Municipality certifying the amount in default, may make an order for the sale of the property unless the sum is forthwith paid, or such other order as may seem just.

Power to
appoint a
person to act
where Muni-
cipality
makes
default.

14. When the Municipality makes default or delay in carrying out the provisions of this Law the High Commissioner may appoint any officer of the Government or other fit and proper person to carry them out; and the person so appointed shall, for the time for which he is appointed, have all powers conferred by this Law on the Municipality.

Enforcing
obedience to
orders of
Municipality.

15. Where any person makes any default in carrying out the orders or instructions of the Municipality under this Law, the Municipality or the Registrar-General, as the case may be, may apply to the District Court of Famagusta for an order calling upon the defaulter to comply with all such orders and instructions; and the District Court may thereupon make such order as may seem just; and any such order shall be deemed to be equivalent to an order made in a civil action, and may be enforced in the manner provided by the Cyprus Courts of Justice Order, 1882.

FARMERS, *see* USURY, AND RELIEF OF INSOLVENT FARMERS.
