

2. The Principal Law, section 26, is hereby repealed and in place thereof the following section shall have effect :—

Repeal of Law 24 of 1879, sec. 26 and substitution of new section.

26. Save under special permit from the Governor, tobacco, cigars, cigarettes and snuff are prohibited to be imported into Cyprus except in ships of not less than sixty tons burthen, and in packages weighing not less than ten okes net each, and duly reported in the ship's manifest.

Provided that no special permit from the Governor is required for the importation of tobacco, cigars, cigarettes and snuff by parcels post. And provided further that whenever tobacco, cigars, cigarettes and snuff are imported into Cyprus under special permit from the Governor, or by parcels post, in packages weighing less than ten okes there shall be levied and taken on every oke or fraction of an oke of tobacco, cigars, cigarettes and snuff so imported, in addition to the Customs import duty thereon, a further import duty of one shilling if imported under special permit from the Governor and of four and half piastres if imported through the parcels post.

This Law was published in the Cyprus Gazette No. 1916 of the 7th May, 1928.

No. 7 of 1928.

TO REGULATE AND IMPROVE THE SUPPLY AND DISTRIBUTION OF WATER TO THE VILLAGE OF KYTHREA FOR DRINKING AND OTHER DOMESTIC PURPOSES.

A.D. 1928.

7 of 1928.

RONALD STORRS.]

[May 2, 1928.]

WHEREAS the inhabitants of the village of Kythrea are entitled to the use of water from the spring known as "Kefalovriso" in the District of Nicosia for drinking and other domestic purposes;

AND WHEREAS the quantity of such water for the use of the said inhabitants has been estimated to be not more than 30,000 gallons a day;

AND WHEREAS it has been found that under existing conditions the said water reaches the said village in such a polluted state as to be injurious to the health of the inhabitants of the said village;

AND WHEREAS it is necessary in the interests of public health that provision be made for improving the means of conveyance of water from the spring aforesaid to the village aforesaid;

BE it therefore enacted :—

Short title.

1. This Law may be cited as the Kythrea Water Supply Improvement Law, 1928.

Inter-pretation.

2. In this Law :—

“The Municipal Council” means the Municipal Council or Municipal Commission or other body duly constituted by law to exercise Municipal authority and government within the Municipal area of Kythrea for the time being.

“Undertaking” means the undertaking of conveying water by pipes as prescribed in section 3.

“Commissioner” means the Commissioner of the District of Nicosia for the time being.

“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.

The Governor may authorise the carrying out of the undertaking.

3. The Governor upon request in writing by the Municipal Council may by notification in the *Cyprus Gazette* authorise the Municipal Council to carry out the undertaking of conveying water by means of pipes in a quantity not exceeding 30,000 gallons in any one day from the spring known as “Kefalovriso” to the village of Kythrea for drinking and other domestic purposes. Provided that any surplus of water not so used for drinking and other domestic purposes shall be conveyed by the said pipes to the main channel used for irrigation purposes running from the said spring.

Plans and specifications to be deposited

4. Within one week of the publication of the notification mentioned in section 3 the Municipal Council shall deposit with the Commissioner :—

(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.

Notice to persons interested.

5. The Municipal Council shall cause a notice to be served (in manner hereinafter provided) on all the persons interested in the land it is proposed to acquire, notifying to them the proposed acquisition and informing them that they are at liberty to 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 14 days from the service of the notice. At or after the expiration of the period of 14 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).

6. If the Governor approves the plan, particulars and specifications submitted and considers it expedient, having regard to all the circumstances of the case, that the land in question shall be acquired, he may by notification in the *Cyprus Gazette* sanction the acquisition of the land; and thereupon the land shall be acquired and compensation, which may include compensation for damage occasioned by determination of a lease, shall be directed to be paid for its acquisition in manner hereinafter provided.

Sanction by
Governor of
acquisition
of land.

7. If the Governor does not approve the plan, particulars and specifications or does not consider it expedient, having regard to all the circumstances of the case, that the land in question shall be acquired, he may by notice in the *Cyprus Gazette* refuse to sanction the acquisition of the land; and in such case the Municipal Council may submit a fresh plan, particulars and specifications and fresh proceedings under this Law may be taken.

Refusal of
sanction by
Governor of
acquisition.

8. When the Governor has notified his sanction to the acquisition of any land, the land shall thereupon vest absolutely in the Municipal Council, 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 amendments of registration to be effected in accordance with the plan, particulars and specifications so approved by the Governor.

Vesting land
in Municipal
Council.

9. If within one month from the date of the notification of such sanction, the persons interested do not agree with the Municipal Council as to the compensation for the land so acquired, the Municipal Council shall apply to the Colonial 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.

Reference to
Government.

Disposition of compensation in certain cases.

10. The whole or any portion of the sum directed to be paid by the Governor in Council by way of compensation shall 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 Government Treasury.

11. 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 Municipal Council may pay the sum into the Government Treasury.

Service of notices.

12. 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.

13. For the purpose of carrying out the undertaking hereinbefore referred to the Municipal Council shall have the borrowing powers vested in Municipal Councils by the Municipal Councils Law, 1882, and by the Public Loans Law, 1897.

Bar of actions save with consent of Attorney-General.

14. 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 Municipal Council or against any person acting under its authority in respect of any act or thing done or omitted under the provisions of this Law.

Duty to make bye-laws.

15.—(1) It shall be the duty of the Municipality to make bye-laws for the following matters:—

(a) regulating the supply of water for drinking and other domestic purposes;

(b) regulating the supply of water by ^{tap or meter} ~~meter and tap~~;

(c) with respect to the circumstances in which a water supply shall be stopped;

(d) with respect to the management and control of the undertaking and for the prevention of waste, misuse or pollution of water.

(2) Bye-laws made by the Municipal Council under this Law shall not take effect unless and until they shall have been submitted to and approved of by the Governor and published in the *Cyprus Gazette*.

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16.—(1) Any person who resists or obstructs the Municipal Council 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 Municipal Council and all penalties recovered shall be paid to the Municipal Fund of Kythrea.

This Law was published in the Cyprus Gazette No. 1916 of the 7th May, 1928.

NO. 8 OF 1928.

TO AMEND THE POLICE LAW.

RONALD STORRS.]

[May 2, 1928.

A.D. 1928.

8 of 1928.

BE it enacted :—

1. This Law may be cited as the Police (Amendment) Law, 1928, and shall be read as one with the Police Law, 1878, (hereinafter referred to as the Principal Law), and the Police (Amendment) Law, 1927, and the Principal Law and the said Law and this Law may together be cited as the Police Laws, 1878 to 1928.

Short title.

2. The Principal Law, section 54, is hereby amended by the addition thereto of the following sub-section :—

Amendment of Law 2 of 1878, sec. 54.

(6) Provided also that where any Rural Constable dies while in the service of the Force, it shall be lawful for the Governor in Council to grant to his dependants the gratuity to which such Rural Constable would have been eligible had he been discharged from the Force on the grounds of illhealth.

For the purpose of this sub-section the term “dependants” means such of the members of the family of a Rural Constable as were wholly or in part dependent upon the earnings of the Rural Constable at the time of his death.

This Law was published in the Cyprus Gazette No. 1916 of the 7th May, 1928.