

Power to  
Governor in  
Council to  
alter manner  
of collection  
of fees, etc.

2. Notwithstanding anything in any Law or public instrument contained, the Governor in Council may by order direct—

- (a) that any fees or charges whatsoever payable in stamps under any Law or public instrument, shall be collected in cash and, as from the date of the coming into operation of such order, such fees or charges shall, accordingly, be paid in cash ;
- (b) that any fees or charges whatsoever payable in cash under any Law or public instrument and any fees or charges in respect of which no specific mode of payment is provided thereby, shall be collected in stamps and, as from the date of the coming into operation of such order, such fees or charges shall, accordingly, be collected in stamps,

and the provisions of every such order, when made, shall have effect, notwithstanding anything inconsistent therewith contained in the Law or public instrument to which it relates.

16th June, 1950.

O. R. ARTHUR,  
*Acting Colonial Secretary.*

### No. 15 OF 1950.

A LAW TO EMPOWER THE GOVERNOR TO GRANT A LICENCE TO THE GYPSUM AND PLASTERBOARD COMPANY LIMITED TO ESTABLISH CERTAIN PLANTS AND CONSTRUCT CERTAIN STORES AND OTHER ERECTIONS IN CONNECTION WITH THEIR GYPSUM MINING LICENCE.

A. B. WRIGHT,]  
*Governor.*

[16th June, 1950.

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

Short title.

1. This Law may be cited as the Gypsum and Plasterboard Company Limited (Gypsum Mining) Law, 1950.

## 2. In this Law—

Interpreta-  
tion.

“the Company” means the Gypsum and Plasterboard Company Limited a company incorporated in Cyprus whose registered office is in the town of Nicosia ;

“Court” means the District Court of the District within which the land acquired or to be acquired under this Law is situated ;

“Gypsum Mining Licence” means the licence dated the 29th day of May, 1950, made between the Governor of the one part and the Company of the other part, whereby licence was granted by the Governor to the Company to enter upon and work deposits of gypsum found on and under a piece of land at the locality Phourina near the village of Kalavastos in the District of Larnaca.

“land” includes land (with the grazing rights, and all water and water rights on, over or under such land), buildings and other erections, trees, easements and standing crops ;

“person interested” includes all persons claiming an interest in compensation to be made on account of the acquisition of land under this Law, and a person shall be deemed to be interested in land if he is interested in an easement affecting the land.

3. The Governor may, in connection with the Gypsum Mining Licence, grant a licence to the Company, on such terms and conditions and upon payment of such fees as he thinks fit—

Power to  
Governor to  
grant licence.

(a) to establish, equip and maintain plants for crushing, grinding and calcining gypsum and for the manufacture of plasterboard ;

(b) to construct and maintain, at such places as the Governor may approve, such sheds, stores and buildings, structures and erections as may be shown to the satisfaction of the Governor to be required by the Company in connection with the matters set out in paragraph (a) above and with the loading of gypsum.

4. Upon the grant by the Governor to the Company of a licence under the provisions of section 3, a notice of such grant shall be published in the *Gazette*.

Notice in  
*Gazette* of  
grant of  
licence.

5. If, after the publication of a notice as in section 4 provided, the Company requires any land to be acquired compulsorily for any of the purposes in respect of which a licence under section 3 has been granted, the Company

Plans and  
particulars  
to be  
submitted.

shall make application therefor to the Governor accompanied by plans showing the particulars of the land to be acquired and by a statement giving the particular reasons for the proposed compulsory acquisition and, if the Governor is satisfied that prima facie the acquisition may proceed, he shall request the Company to deposit the plans and particulars with the Commissioner of Larnaca.

Notice to persons interested.

6.—(1) The Company, after depositing the plans and particulars as in section 5 provided, shall cause notices to be served (in the 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 of Larnaca and present any objections they may have to make thereto within fourteen days from the service thereof.

(2) At or after the expiration of the period of fourteen days from the service of the notices in sub-section (1) provided, the Commissioner shall forward to the Governor the plans and particulars, together with the objections made, if any.

Sanction by Governor of acquisition of land.

7. If the Governor approves the plans and particulars 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 *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 awarded for its acquisition in the manner hereinafter provided.

Refusal of sanction by Governor of acquisition.

8. If the Governor does not approve the plans and particulars 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 *Gazette*, refuse to sanction the acquisition of the land and, in such case the Company may submit fresh plans and particulars, and fresh proceedings under this Law may be taken.

Vesting land in Company.

9. When the Governor has notified his sanction to the acquisition of any land, the land shall thereupon vest absolutely in the Company, 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 registration to be made or amendments of registration to be effected in accordance with the plans and particulars so approved by the Governor.

**10.** If, within fourteen days from the date of the notification of the Governor's sanction as in section 9 provided, the persons interested do not agree with the Company as to the compensation for the land so acquired, the company shall apply to the Court to refer the determination of the amount of the compensation to arbitrators and the Court shall, thereupon, order that a notice be served, in the manner hereinafter provided, on the persons interested, and shall fix a day for the appearance of the parties before the Court.

Reference  
to Court.

**11.—(1)** On the day so fixed, if all the parties appear and each party names an arbitrator on his behalf, the Court shall appoint the arbitrators and, in the event of the arbitrators failing to agree, the Court shall be the umpire to decide between them.

Appointment  
of arbitrators  
and umpire.

(2) If any party fails to appear or refuses to appoint an arbitrator, the Court shall appoint an arbitrator on his behalf.

(3) If the arbitrators fail to file their award within the time or extended time prescribed by the Court, the Court shall be the sole arbitrator.

(4) On appointing any arbitrator, the Court may prescribe the time within which the award may be filed and may extend it from time to time.

(5) The award made under this section shall, for all purposes, be final and conclusive.

**12.** The Court shall order that the whole or any portion of the sum awarded 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.

Distribution  
of sum  
awarded.

**13.** The Court may make any order it may think right as to the course and cost of the proceedings, including the amount of fees or expenses to be paid to the arbitrators or umpire in connection with their arbitration and award, and may direct by whom they are to be paid.

Fees to  
arbitrators  
or umpire.

**14.** If any person refuses to accept any sum ordered to be paid to him under the provisions of this Law, or is absent from the Colony, the Company may pay the sum into Court.

Payment  
into Court.

**15.** Where a notice is required to be served under this Law, service shall be effected by delivery of the notice to the person to be served therewith, or, if he cannot be conveniently found, by leaving it at his usual place of abode with any adult inmate thereof :

Service of  
notices.

Provided that, where service is not effected by delivery of the notice to the person concerned, the Court may order that the notice be also advertised in any newspaper, and that a copy of the notice be posted on some conspicuous part of the land acquired or to be acquired.

Representa-  
tion of  
persons  
absent or  
under  
disability.

16. Whenever it appears to the Court that any person interested is, on account of being absent from the Colony or on account of being under any disability, likely to be under any disadvantage in bringing forward his claim to compensation under the provisions of this Law, the Court may, on the application of the Company or of its own motion, order that such person be duly represented, and may generally give such directions as may secure the proper and just determination of his claim.

Saving.

17. Nothing in this Law contained shall prejudice or affect, or shall be construed as prejudicing or affecting, the rights of His Majesty, His Heirs and Successors or of any body politic or corporate or of any person or persons, except such as are mentioned in this Law and those claiming by, from or under them.

16th June, 1950.

O. R. ARTHUR,  
*Acting Colonial Secretary.*