



SUPPLEMENT No. 2

TO

THE CYPRUS GAZETTE No. 3922 OF 1ST MARCH, 1956.

LEGISLATION.

THE STATUTE LAWS OF CYPRUS

No. 6 OF 1956.

A LAW TO AMEND THE MINES AND QUARRIES (REGULATION) LAW, 1953. 14 of 1953.

JOHN HARDING,]

[28th February, 1956.

Governor.

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 Mines and Quarries (Regulation) (Amendment) Law, 1956, and shall be read as one with the Mines and Quarries (Regulation) Law, 1953 (hereinafter referred to as "the principal Law"), and the principal Law and this Law may together be cited as the Mines and Quarries (Regulation) Laws, 1953 and 1956. Short title.
14 of 1953.

Amendment
of section 2
of the
principal
Law.

Amendment
of the
principal
Law by the
insertion of
new section
2A.

2. Section 2 of the principal Law is hereby amended by the deletion therefrom of the definitions of "mine" and "quarry".

3. The principal Law is hereby amended by the insertion therein, immediately after section 2, of the following new section :—

" Meaning of
'mine' and
'quarry'.

2A.—(1) In this Law the expression 'mine' means an excavation or system of excavations made for the purpose of, or in connection with, the getting, wholly or substantially by means involving the employment of persons below ground, of minerals (whether in their natural state or in solution or suspension) or products of minerals.

(2) In this Law the expression 'quarry' means an excavation or system of excavations made for the purpose of, or in connection with, the getting of quarry materials (whether in their natural state or in solution or suspension) or products of quarry materials, being neither a mine nor merely a well or bore-hole or a well and bore-hole combined.

(3) For the purposes of this Law—

(a) there shall be deemed to form part of a mine so much of the surface (including buildings, structures and works thereon) surrounding or adjacent to the shafts or outlets of the mine as is occupied together with the mine for the purpose of, or in connection with, the working of the mine, the treatment, preparation for sale, consumption or use, storage or removal from the mine of the minerals or products thereof gotten from the mine or the removal from the mine of the refuse thereof; and

(b) there shall be deemed to form part of a quarry so much of the surface (including buildings, structures and works thereon) surrounding or adjacent to the quarry as is occupied together with the quarry for the purpose of, or in connection with, the working of the quarry, the treatment, preparation for sale, consumption or use, storage or removal from the quarry of the quarry materials or products thereof gotten from the quarry or the removal from the quarry of the refuse thereof:

Provided that there shall not, for the said purposes, be deemed to form part of a mine or quarry premises in which a manufacturing process is carried on otherwise than for the purpose of the working of the mine or quarry or the preparation for sale of minerals or quarry materials, as the case may be, gotten therefrom.

(4) For the purposes of this Law premises for the time being used for depositing refuse from a single mine or quarry, being premises exclusively occupied by the owner of that mine or quarry, shall be deemed to form part of that mine or quarry, and premises for the time being used for depositing refuse from two or more mines or quarries, being premises occupied by the owner of one of those mines or quarries (either exclusively or jointly with the owner of the other or any of the others) shall be deemed to form part of such one of those mines or quarries as the Inspector of Mines may direct.

(5) For the purposes of this Law a railway, conveyor or aerial ropeway provided for the removal from a mine or quarry of minerals or quarry materials, as the case may be, gotten therefrom or refuse therefrom shall be deemed to form part of the mine or quarry.”.

4. Section 5 of the principal Law is hereby amended by the deletion therefrom of the words “or radio-active mineral” (line 3).

Amendment
of section 5
of the
principal
Law.

5. Section 25 of the principal Law is hereby amended as follows :—

Amendment
of section 25
of the
principal
Law.

(a) by the deletion therefrom of sub-section (7) and the substitution therefor of the following sub-section :—

“(7) Payment into the Court of—

(a) the amount assessed by the Director under this section, where the period within which application may be made to the Compensation Assessment Tribunal under the provisions of sub-section (5) of this section (as amended by paragraph 10 of the First Schedule to Law 43 of 1955) has expired and where the Director is satisfied that no such application has been made ; or

(b) the amount determined by the Compensation Assessment Tribunal where there has been an application to the said Tribunal under the provisions of sub-section (5) of this section (as amended by paragraph 10 of the First Schedule to Law 43 of 1955),

shall be sufficient authority to the Director to cause registration of the said land to be made in the name of the lessee of the mining lease notwithstanding that such land may be subject to any lease, mortgage, charge or encumbrance.

Any such lease, mortgage, charge or encumbrance shall upon registration of the said land in the name of the lessee of the mining lease cease and determine.” ;

(b) by the addition at the end thereof of the following new sub-section :—

“(10) The provisions of sub-sections (2) to (9), both inclusive, of this section shall apply to any area which is reasonably required by the lessee of a mining lease for purposes of access to the area for which such mining lease has been granted as they apply to the area for which such mining lease has been granted.”.

Amendment
of section 38
of the
principal
Law.

6. Sub-section (3) of section 38 of the principal Law is hereby amended by the substitution for the words “The provisions contained” (line 1) of the words “The provisions to sub-section (1) of section 21 and the provisions contained”.

Amendment
of section
39 of the
principal
Law.

7. Section 39 of the principal Law is hereby amended as follows :—

(a) by the substitution in sub-section (1) thereof for the words “The Commissioner or the Inspector of Mines or any other person authorised by either of them in that behalf may—” (lines 1, 2 and 3) of the words “The Inspector of Mines or any person authorised by him in that behalf may—”;

(b) by the deletion from sub-section (2) thereof of paragraphs (a), (b) and (c) and by the substitution therefor of the following paragraphs :—

“(a) if the person carrying out the inspection is the Inspector of Mines, he may either order that such quarry or any part thereof shall be closed, or such works be executed as will enable quarrying operations to be carried out with due regard to the safety or health of persons employed in or about such quarry;

(b) if the person carrying out such inspection is any person other than the Inspector of Mines, such person may direct that any work in such quarry should cease forthwith and shall immediately report the matter to the Inspector of Mines who, thereupon, may issue such order for such quarry or any part thereof as he may issue under paragraph (a) of this sub-section :”;

(c) by the substitution in sub-section (3) thereof for the words “under paragraph (b)” (line 2) of the words “under paragraph (a)”.

28th February, 1956.

J. W. SYKES,
Administrative Secretary.