

CAP. 297.

CYPRUS

SHIPWRECKED PASSENGERS

CHAPTER 297 OF THE LAWS

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1959

CHAPTER 297.

SHIPWRECKED PASSENGERS.

ARRANGEMENT OF SECTIONS.

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TO PROVIDE FOR THE EXPENSES OF HARBOURING AND
FORWARDING SHIPWRECKED PASSENGERS.

1949
Cap. 279.

[2nd April, 1889.]

Short title.

1. This Law may be cited as the Shipwrecked Passengers Law.

Interpretation.

2. In this Law—

“ passenger ship ” means every description of sea-going vessel carrying one or more passenger or passengers on any voyage from any place in Her Majesty's dominions to any place whatever.

Expenses of receiving shipwrecked passengers.

3. If any passengers of any passenger ship shall be rescued from shipwreck either by being taken off the ship or by being picked up at sea from any boat, raft, or otherwise, and the port or place to which they are conveyed is in Cyprus, the Governor or any person authorized by him for the purpose may defray all or any part of the expenses thereby incurred.

Governor may send on passengers if master of ship fails to do so.

4. If any passenger on any passenger ship shall without any neglect or default of his own find himself in any port or place in Cyprus other than that for which the ship was originally bound, or at which he or any other person on his behalf may have contracted that he should land, the Governor or any person authorized by him for such purpose may forward him to his intended destination, unless the master of the ship shall within forty-eight hours of the

arrival of the passenger give to the Governor a written undertaking to forward him or carry him on within six weeks thereafter to his original destination, and unless the master shall accordingly forward or carry him on within that period.

5. All expenses incurred under this Law by or by the authority of the Governor, including the cost of maintaining passengers until forwarded to their destination, and of all necessary bedding, provisions and stores, shall become a debt to the Government of Cyprus from the owner, charterer and master of the ship, and shall be recoverable from them or from any one or more of them at the suit of the Attorney-General, for the use of the said Government in like manner as in the case of other debts to the said Government.

Expenses under this Law a debt due to Government.

6. A certificate in the form in the Schedule, or as near thereto as the circumstances of the case will admit, purporting to be under the hand of the Governor, stating the total amount of such expenses shall in any action or other proceeding for the recovery of such debt be received in evidence without proof of the handwriting of the Governor, and shall be deemed sufficient evidence of the amount of such expenses and that they were duly incurred, nor shall it be necessary to adduce on behalf of the Government of Cyprus any other evidence in support of the claim, but judgment shall thereupon be given in favour of the Government with costs of suit, unless the defendant shall specially plead and duly prove that the certificate is false or fraudulent, or shall specially plead and prove any facts showing that the expenses were not duly incurred under this Law.

Governor's certificate evidence of expenditure. Schedule.

7. In no case shall any larger sum be recovered on account of such expenses than a sum equal to twice the total amount of passage money received or due to and recoverable by or on account of the owner, charterer or master of the ship or any of them in respect of the whole number of passengers who may have embarked in the ship, which total amount of passage money shall be proved by the defendant, if he will have advantage of this limitation to his debt.

Limit of sum recovered.

8. If any passengers are forwarded to their destination under the provisions of section 4, they shall not be entitled to the return of their passage money or to any compensation for loss of passage.

Passengers forwarded by Governor not entitled to return of passage money.

[SCHEDULE.

(a) Alter the certificate to suit the facts of the case.

(b) State generally the nature of the disaster and where it occurred.

But if the passengers were only left behind without any fault of their own, state the fact accordingly.

SCHEDULE.

(Section 6.)

I hereby certify that, acting under and in conformity with the provisions of the Shipwrecked Passengers Law, Cap. 297, I have defrayed the expenses incurred in rescuing, maintaining, supplying with necessary bedding, provisions and stores (a), and in forwarding to their destination passengers who were proceeding from _____ to _____ in the passenger ship _____ which was wrecked at sea, etc. (b).

And I further certify, for the purposes of the sixth section of the said Shipwrecked Passengers Law, that the total amount of such expenses is _____ pounds, and that such expenses were duly incurred by me under the said Law.

Given under my hand this _____ day of _____ 19 .

Governor of Cyprus.