



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE
No. 482 of 30th September, 1977.
LEGISLATION

ORDINANCE 12 OF 1977.

AN ORDINANCE

CONTAINING TEMPORARY PROVISIONS RELATING
TO THE CREATION OF ENCUMBRANCES AND THE EFFECT
OF PROHIBITIONS ON IMMOVABLE PROPERTY IN THE AREAS.

R. D. AUSTEN-SMITH
ADMINISTRATOR

29th September, 1977.

BE it enacted by the Administrator of the Sovereign Base Areas of Akrotiri and Dhekelia as follows:—

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| <p>1. This Ordinance may be cited as the Encumbrances and Prohibitions (Temporary Provisions) Ordinance, 1977.</p> | <p>Short title.</p> |
| <p>2.—(1) In this Ordinance, unless the context otherwise requires—</p> <p>“encumbrance” shall have the meaning assigned to it under sub-section (5) of section 12 of the Immovable Property (Transfer and Mortgage) Ordinance, 1966 but shall not include a mortgage;</p> <p>“prohibition” shall have the meaning assigned to it under sub-section (5) of section 12 of the Immovable Property (Transfer and Mortgage) Ordinance, 1966.</p> | <p>Interpretation.</p> <p>Ordinances 16/66, 14/70.</p> |
| <p>(2) Expressions not otherwise defined in this Ordinance, unless the context otherwise requires, shall have the meaning assigned to them in the Immovable Property (Transfer and Mortgage) Ordinance, 1966.</p> | <p>Ordinances 16/66, 14/70.</p> |
| <p>3. Notwithstanding anything contained in any other Ordinance in force for the time being, where it is intended that an encumbrance is to be created on any immovable property or a prohibition is to take effect upon the owner of any immovable property, in respect of which the land register or other land registration books are not available—</p> | <p>Place of deposit etc. and contents of notices and documents in respect of encumbrances and prohibitions.</p> |

- (a) the necessary notice relating to the encumbrance or prohibition may be given, or the document in respect of the encumbrance or prohibition may be declared or produced to the Chief Officer or may be registered or deposited with him ;
- (b) the notice or document referred to in paragraph (a) of this section of this Ordinance may contain a simple description of the immovable property or may refer to all the immovable properties of an owner situated in any village without any reference to the registration number or numbers in the land register concerned or without any other particulars of the immovable property or properties.

Acceptance of notice or document in respect of an encumbrance or prohibition.

4. The Chief Officer shall accept the notice or document referred to in section 3 of this Ordinance and shall acknowledge in writing thereon such acceptance and shall record the date and time thereof.

Registration of encumbrance or prohibition and issue of certificate.

5. The encumbrance or prohibition referred to in sections 3 and 4 of this Ordinance shall be registered by the Chief Officer in a special register kept for encumbrances or prohibitions, as the case may be, and a certificate in respect of such registration shall be issued.

Effect of registration of an encumbrance or prohibition.

6. Every registration of an encumbrance or prohibition made under this Ordinance shall have the same effect as if the necessary notice in respect of the creation of an encumbrance or the effect of a prohibition had been given, or the necessary document had been declared or produced or registered or deposited at the appropriate Area Office.

Special provisions relating to certain transactions carried out after the 19th July, 1974.

7. With regard to any immovable property in respect of which the land register or other land registration books are not available, every transaction carried out at the appropriate Area Office after the 19th July, 1974, and before the date of the enactment of this Ordinance, which was intended to create an encumbrance on such immovable property or to effect a prohibition on the owner thereof including the serving of the necessary notice or declaration, production, registration or deposit of the necessary document, shall be deemed to have been carried out under this Ordinance.

Application of provisions of other Ordinances.

8. All the provisions of Ordinances in force from time to time relating to the creation of an encumbrance or the effect of a prohibition which are not in conflict with the express provisions of this Ordinance shall apply *mutatis mutandis*.

Offences and penalties.

9. Any person who shall knowingly make or cause to be made any false statement or declaration shall be guilty of an offence under this Ordinance and shall be liable on conviction to the same penalty as if he had given false evidence in any judicial proceedings.

P. G. ADAMS
Chief Officer.

29th September, 1977.

(118/2)