
LAND ACQUISITION (AMENDMENT) ORDINANCE 2010

An Ordinance to amend the Land Acquisition Ordinance

G. E. STACEY
ADMINISTRATOR

14th December 2010.

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

1. Short title

This Ordinance may be cited as the the Land Acquisition (Amendment) Ordinance 2010.

2. Section 7A amended

Section 7A(2) of the Land Acquisition Ordinance(a) (the “principal Ordinance”) is amended by replacing “compensation estimated is not offered” with “an offer of the compensation estimated is not served”.

3. New section 19 inserted

After section 18 of the principal Ordinance there is inserted—

“19. Service of documents

- (1) A document to be served on a person under this Ordinance is to be served either by personal service on the person or by registered letter to the last known address of the person (whether or not that address is on the Island of Cyprus).
- (2) A document may be served on a person whose whereabouts cannot be established (whether or not that person is thought to be absent from the Island of Cyprus) by registered letter to the last known address of the person on whom the document is to be served and in addition is to be—

- (a) published in a newspaper with a circulation in the Island of Cyprus; and
 - (b) attached to a prominent place within the town or village where the person to whom it is addressed was last known to reside.
- (3) If a document to be served relates to immovable property in respect of which ownership cannot be ascertained, that document may be served by—
 - (a) publishing it in a newspaper with a circulation in the Island of Cyprus; and
 - (b) attaching it to a prominent place within the town or village where the property concerned is situated.
- (4) If a document to be served relates to immovable property in respect of which ownership is disputed, that document is to be served on all of the parties to the dispute.
- (5) If a document has been served on a person by personal service, a certificate stating the date of service and signed by the person effecting such service is evidence of such service.
- (6) If a document has been served in accordance with subsection (2)(b) or (3)(b), a certificate stating the date on which the document was attached and signed by the person attaching the document is evidence of such service.
- (7) Subject to subsection (8), a document served by registered post is deemed to have been served on the person to whom it is addressed—
 - (a) 7 days from when it was posted if addressed to a person on the Island of Cyprus; or
 - (b) 50 days from when it was posted if addressed to a person elsewhere.
- (8) A document served by registered post under subsection (2) is deemed to have been served 50 days from the latest of the date when the document was—
 - (a) posted by registered post;
 - (b) published in a newspaper with a circulation in the Island of Cyprus; or
 - (c) attached to a prominent place within the town or village where the person to whom it is addressed was last known to reside.
- (9) A copy of a public notice is published for the purposes of subsection (2)(a) or (3)(a) if it has been published in accordance with section 6(3).
- (10) In this section “document” includes any notification, announcement or other communication.
- (11) In this section the day on which a document is posted, published in a newspaper or attached to a prominent place does not count for the purpose of calculating time.
- (12) If it is not possible to send a registered letter to an address not on the island of Cyprus then the letter need not be registered.”

4. Commencement

This Ordinance comes into force on 1 January 2011 and has effect in relation to any notification, announcement or other communication to be served under the principal Ordinance after that date.

Notes

- (a) Cap 226, Statute Laws of Cyprus revised edition 1959, as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom) and the Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 (5/68).

EXPLANATORY NOTE

(This note does not form part of the Ordinance)

1. This explanatory note relates to the Land Acquisition (Amendment) Ordinance 2010 (the “Ordinance”). It has been prepared by the Office of the Attorney General and Legal Adviser in order to assist the reader of the Ordinance. It does not form part of the Ordinance.
2. The Ordinance inserts a new section 19 into the Land Acquisition Ordinance which specifies how documents which are to be required to be served under the Ordinance may be served.

