



**SUPPLEMENT No. 2**  
**TO**  
**THE SOVEREIGN BASE AREAS GAZETTE**  
**No. 1616 of 10th June 2011**  
**LEGISLATION**

---

**CONTENTS:**

*The following LEGISLATION is published in this Supplement which forms part of this Gazette : –*

	<b>Ordinance No.</b>
Immovable Property (Tenure, Registration and Valuation) (Amendment) Ordinance 2011 . . . . .	7



---

**IMMOVABLE PROPERTY (TENURE, REGISTRATION AND VALUATION)  
(AMENDMENT) ORDINANCE 2011**

---

An Ordinance to amend the Immovable Property (Tenure, Registration and Valuation) Ordinance

**G. E. STACEY**  
**ADMINISTRATOR**

*7th June 2011.*

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

**1. Short title, commencement and interpretation**

- (1) This Ordinance may be cited as the Immovable Property (Tenure, Registration and Valuation) (Amendment) Ordinance 2011.
- (2) This Ordinance comes into force on 13 June 2011.
- (3) In this Ordinance, the “principal Ordinance” means the Immovable Property (Tenure, Registration and Valuation) Ordinance**(a)**.

**2. Section 2 (Interpretation) amended**

Section 2 of the principal Ordinance is amended—

- (a) by inserting after the definition of “adverse possession” the following definitions—
  - ““Area Officer” means the Area Officer of the Area in which the immovable property in question is situated and references to the “Area Office” are to be construed accordingly;
  - “corresponding Republican Law” means the Immovable Property (Tenure, Registration and Valuation) Law**(b)** of the Republic;”;
- (b) by repealing the definition of “District Lands Office”;
- (c) by inserting after the definition of “immovable property” the following definition—
  - ““land register” means the register kept under section 51 of this Ordinance (and section 51 of the corresponding Republican Law) and includes entries made in that register either in paper form or electronic form;”;and

- (d) by repealing the definition of “registered” and inserting in its place—  
““registered” and grammatical variations of that word means entered in the land register;”.

**3. References to District Land Office amended**

In the principal Ordinance the words “District Lands Office” are repealed and replaced with “Area Office” wherever they occur.

**4. Section 10A (No title by adverse possession to certain immovable property) repealed and replaced**

Section 10A of the principal Ordinance is repealed and replaced with the following section—

**“10A. No title by adverse possession to certain immovable property**

Notwithstanding section 10, a person may not acquire title to immovable property if that property is inaccessible to its owner as a result of the conditions prevailing on the Island of Cyprus since 20 July 1974.”.

**5. Section 18 (Power of the Governor to exchange Crown property etc.) repealed and replaced**

Sections 18 of the principal Ordinance is repealed and replaced with the following section—

**“18. Power of the Administrator to exchange Crown property etc.**

- (1) The Administrator may grant, lease, exchange or otherwise alienate any Crown property or immovable property, other than a public road or the foreshore, vested in the Crown under this Ordinance for any purpose and on such terms and conditions as the Administrator considers appropriate.
- (2) The Administrator may exchange or alienate a public road if satisfied that—
  - (a) some other adequate public road has been provided in place of the public road in question; or
  - (b) such exchange or alienation will improve the public road in question.
- (3) The Administrator may lease any part of the foreshore for the purposes of ports, jetties, piers, wharves, fisheries or other purpose of public utility and on such terms and conditions as the Administrator considers appropriate.
- (4) A certificate signed by the Chief Officer is conclusive evidence of the facts stated in the certificate to the extent that the certificate certifies—
  - (a) that the Administrator has granted, leased, exchanged or otherwise alienated immovable property to a particular person or authority; and
  - (b) (where applicable) the conditions on which the Administrator has granted, leased, exchanged or otherwise alienated the immovable property.
- (5) In a certificate referred to in subsection (4)—
  - (a) the position of immovable property identified by reference to a chart or map referred to in the certificate is to be treated as a fact; and
  - (b) any map referred to in paragraph (a) signed by the Chief Officer and attached and clearly relating to the certificate is to be treated as part of that certificate.
- (6) If the Administrator makes a grant of Crown property or immovable property under this section, the Administrator may by order impose restrictions on the registration of that property in the name of the person

to whom it is granted so as to ensure that the property which has been granted stays in the ownership of recognised residents as defined in section 2 of the Control (Entry, Settlement and Commercial Enterprises) Ordinance 1960(c).

- (7) An order made under subsection (6) may provide that no sale, exchange or other disposal of the Crown property or immovable property granted may take place without the consent of the Chief Officer.
- (8) If Crown property or immovable property is granted subject to an order made under subsection (6)—
  - (a) a transfer contravening the restrictions is not to be carried out;
  - (b) any restriction provided in the order is to be entered—
    - (i) against the relevant registration in the Land Register; and
    - (ii) if possible, on the certificate of registration of immovable property concerned.
- (9) Despite section 8, if any part of the foreshore is leased under subsection (3) the Administrator may, by order—
  - (a) prohibit or restrict use by the public of the relevant part of the foreshore;
  - (b) impose conditions on use by the public of the relevant part of the foreshore; or
  - (c) specify a person who may—
    - (i) permit or restrict access to the relevant part of the foreshore; or
    - (ii) impose conditions on any such access.”.

**6. Section 27 (General provisions relating to division, etc. of immovable property) repealed and replaced**

Section 27 of the principal Ordinance is repealed and replaced with the following section—

**“27. General provisions relating to division etc. of immovable property**

- (1) The following restrictions apply in all cases where immovable property is divided or partitioned, and a division or partition of immovable property is not lawful if it contravenes any such restrictions, namely—
  - (a) no immovable property which is suitable for building site purposes nor any building is to be divided into separate holdings except in accordance with the provisions of any Ordinance or public instrument in force for the time being;
  - (b) no vineyard, garden, forest, or land irrigated or capable of being irrigated from a perennial source of water is to be divided into holdings of less than 1 donum in extent or, if capable of being irrigated from a seasonal source of water, into holdings of less than 2 donums in extent;
  - (c) no land used for agricultural purposes which is not irrigated either from a perennial or a seasonal source of water is to be divided into separate holdings of less than 5 donums in extent;
  - (d) subject to paragraphs (a), (b) and (c) of this subsection, no immovable property is to be divided into separate holdings unless in the opinion of the Chief Officer each such holding can properly and conveniently be held and enjoyed as a separate and self-contained tenement;
  - (e) no tree is to be allocated to more than one person;
  - (f) no land in which a person owns a share is to be allocated to such person as separate property unless there is also allocated to that person everything planted or growing on that land.

- (2) Notwithstanding subsection (1)(b) and (c), but subject to subsection (3), the following restrictions apply to any area where a Land Consolidation Association has been constituted or a consolidation of land has been effected under the Agricultural Land Consolidation (Amending and Consolidating) Ordinance 1999(d)—
  - (a) no vineyard, garden, forest or land irrigated from a perennial or seasonal source of water or capable of being irrigated from a perennial source of water is to be divided into holdings of less than 2 donums in extent or, if capable of being irrigated from a seasonal source of water, into holdings of less than 4 donums in extent;
  - (b) no land which is not irrigated or is not capable of being irrigated from a perennial or seasonal source of water is to be divided into holdings of less than 10 donums in extent.
- (3) The Chief Officer may, by a notice published in the Gazette, specify that the minimum extents specified in paragraphs (b) and (c) of subsection (1) are to apply within an area instead of the minimum extents specified in paragraphs (a) and (b) of subsection (2) respectively.
- (4) Notwithstanding section 9, this section is to apply to all cases of division or partition of immovable property made after the date of the coming into operation of this Ordinance or within 10 years immediately before such date and where the property taken under any such division or partition contravenes this section no title by adverse possession is to be acquired over that property.”.

**7. Sections 41 (Registration of immovable property in the name of religious corporation) repealed and replaced**

Section 41 of the principal Ordinance is repealed and replaced with the following section—

**“41. Registration of immovable property in name of religious corporation**

- (1) Immovable property belonging to or connected with a religious corporation at the date of the coming into operation of this Ordinance which is not already registered in its name, and any immovable property which, though registered in the name of a person, is held for or on behalf of a religious corporation at that date, may be registered in the name of such corporation.
- (2) The religious corporation is to apply to the Area Officer not later than 8 years after that date for the property to be so registered, and, if the Chief Officer so requires, is to pay the fees prescribed for a local inquiry.
- (3) After the period referred to in subsection (2) has expired no claim of title to or in connection with any immovable property by any religious corporation is valid or is to be recognised in any court or Area Office unless the corporation files together with the writ a certificate of the Chief Officer that it applied to the Area Office within the period in subsection (2) for the property to be registered in its name and, if the Chief Officer so required, paid the fees prescribed for local inquiry.
- (4) Subsection (3) does not apply to immovable property which is already registered in the name of the religious corporation or which has been lawfully acquired by such corporation by transfer from a person in whose name the property is registered after the commencement of this Ordinance.
- (5) Immovable property (other than property to which section 22(2) applies) belonging to or connected with a religious corporation, including a church (whether or not in ruins), a church yard, a place of worship of the corporation or immovable property which is registered in the name of a particular person but occupied on behalf of the religious corporation, which is not registered in the name of a religious corporation on 23 July 2010 may be registered in the name of that corporation subject to subsections (6) and (7).

- (6) The religious corporation must make an application no later than 22 July 2012 for the registration of the property in its name to the Area Officer and must pay the fees and charges prescribed by or in accordance with the corresponding Republican Law for such an application under that Law.
- (7) Following an on site investigation in connection with an application under subsection (6)—
  - (a) the religious corporation must publish a notice complying with subsection (8)—
    - (i) in a conspicuous place in the municipality, community or parish in which the immovable property is located at a place where notices to the public are usually published; and
    - (ii) in 2 daily newspapers (one of which is specified by the Chief Officer);
  - (b) a person may, within 60 days from the last date of publication of such a notice, appeal against the registration of the immovable property in the name of the religious corporation showing reasons why the immovable property should not be so registered.
  - (c) if an appeal is made within the period prescribed in paragraph (b) the Chief Officer may not proceed with registration of the immovable property in the name of the religious corporation unless a court order is provided to the Chief Officer which recognises that the religious corporation is entitled to be registered as the owner of that immovable property.
  - (d) if no appeal is made within the period prescribed in paragraph (b), the Chief Officer is to register the immovable property in the name of the religious corporation, subject to any other conditions imposed by law.
- (8) A notice complies with this subsection if it contains—
  - (a) a description of the immovable property;
  - (b) the name of the religious corporation in whose name the property is to be registered; and
  - (c) a statement informing the public of the intention of the Chief Officer to register the immovable property in the name of the religious corporation.
- (9) No transfer fee is to be levied upon the registration of any immovable property in the name of a religious corporation by transfer from a registered person who held the property for or on behalf of the corporation.
- (10) Any transfer or voluntary charge affecting immovable property registered in the name of a religious corporation may be declared in the Area Office by the head of the corporation or by that person's duly authorised representative.”.

**8. Sections 51 (Register and other books) and 51A (Information to be furnished) repealed and replaced**

Sections 51 and 51A of the principal Ordinance are repealed and replaced with the following sections—

**“51. Register and other books**

- (1) There is to be kept by the Area Officer—
  - (a) a separate land register for each district, municipality and community or, if the Chief Officer orders, for each municipality or community parish in such form as the Chief Officer decides, where all registrations and transfers of immovable property are entered;

- (b) such other books and abstracts as the Chief Officer deems are necessary.
- (2) If a land register is kept partly in paper form and partly in electronic form, the date of registration is to be the earliest date of entry in the register.

**51A. Information to be furnished**

- (1) On payment of the prescribed fee, the Chief Officer is to give a person with an interest in immovable property any information relating to any entry in the land register or other book kept at the appropriate Area Office relating to that property.
- (2) In this section, “a person with an interest in immovable property” means, in relation to any immovable property—
  - (a) the owner, the heirs, devisees and legatees of the owner;
  - (b) in relation to land on which there is a tree, building or other object belonging to another, the person who owns the tree, building or other object;
  - (c) in relation to a tree, building or other object belongs to a person other than the person who owns the land, the person who owns the land;
  - (d) a person entitled to any right or interest in the immovable property;
  - (e) a person who seems to the Chief Officer to be a prospective purchaser or a mortgagor;
  - (f) the plaintiff in any action against the owner of the immovable property in question;
  - (g) a professional valuer requiring information for the purpose of valuing immovable property in circumstances relating to compulsory acquisition;
  - (h) an advocate acting on the instructions of any person listed in paragraphs (a) to (g); or
  - (i) such other persons not listed in paragraphs (a) to (h) to whom the Chief Officer may order that the information referred to in subsection (1) is given.

**9. Sections 74 (Fee for examination of objections to valuation of immovable property) repealed and replaced**

Section 74 of the principal Ordinance is repealed and replaced with the following section—

**“74. Fee for examination of objections to valuation of immovable property**

- (1) Any person who objects to a valuation, revaluation or to a decision on a valuation or revaluation by the Chief Officer, must together with the objection, lodge with the Chief Officer the fee appropriate for examination of such objection.
- (2) The appropriate fee for the examination of an objection is the same fee as that fee charged in the Republic in respect of a similar or substantially similar matter.

**10. Sections 78 (Power of entry etc. to the Director or valuer) and 79 (Offences) repealed and replaced**

Sections 78 and 79 of the principal Ordinance are repealed and replaced with the following sections—

**“78. Power of entry to the Chief Officer or valuer**

The Chief Officer, any valuer or other person authorised by the Chief Officer may enter onto, measure, survey, inspect, value or place marks on any immovable property for the purpose of performing a function under this Ordinance.



## **79. Offences**

- (1) A person who obstructs the Chief Officer, a valuer or other person authorised by the Chief Officer in the performance of a function under this Ordinance commits an offence and is liable to imprisonment for 6 months or a fine of €1,281 or both.
- (2) A person who refuses or fails without reasonable excuse to supply a valuer or other person authorised by the Chief Officer with the information or written returns referred to in sections 70 or 71 within 10 days from the date on which the valuer or other person appointed by the Chief Officer has required that person to do so, commits an offence and is liable to a fine of €427.
- (3) A person who knowingly makes a false statement in any information or written returns supplied by that person under sections 70 or 71 commits an offence and is liable to imprisonment for 6 months or a fine of €1,281 or both.
- (4) A person commits an offence and is liable to imprisonment for 1 year or a fine of €1,708 or both if that person—
  - (a) either—
    - (i) prepares or authorised the preparation of a false instrument or document; or
    - (ii) falsifies an instrument or document in that person's possession or under that person's control; and
  - (b) in accordance with sections 60, 70 or 71, produces that instrument or document to the Chief Officer or valuer or other person authorised by the Chief Officer.”.

## **11. Sections 82 (Village authorities and certificates), 83 (Fees by village authorities) and 84 (Specimen signatures of mukhtars and azas) repealed and replaced**

Sections 82, 83 and 84 of the principal Ordinance are repealed and replaced with the following sections—

### **“82. Village authorities and certificates**

- (1) Every certificate of a village authority required by any law or custom to be produced to the Area Office as evidence of a fact relating to a matter affecting immovable property is to be signed and sealed by the chair of the community council (the “chair”).
- (2) If production of a certificate by the chair of the village in which the property is situated is not practicable, the Chief Officer may instead accept the certificate of any other chair of a community council prepared as prescribed in subsection (1).
- (3) The signature, seal or mark of any person to a document which is to be produced to the Area Office in connection with immovable property may be certified by writing a certificate in the form set out in Schedule 3, to be signed and sealed by the chair.
- (4) The chair is not to certify a signature, seal or mark unless—
  - (a) either—
    - (i) the document is signed, sealed or marked in the presence of the chair; or
    - (ii) the person signing, sealing or marking the document declares in the presence of the chair that the signature, seal or mark is his or hers; and
  - (b) the person signing, sealing or marking the document is either—
    - (i) personally known to the chair; or
    - (ii) personally known to 2 persons (who must sign the document as witnesses to the signature, seal or mark) who are personally known to the chair.

- (5) If the facts to be certified are not within the personal knowledge of the chair, but based on information and statements provided by other persons then the chair—
  - (a) is not to issue a certificate unless satisfied that the persons providing the information and statements are reliable;
  - (b) is to make clear on the face of the certificate that the certificate is based on facts and information and statements provided by other persons; and
  - (c) is to identify the persons providing the information and statements on the certificate.

### **83. Fees by village authorities**

The fees payable to the chair in respect of the matters set out in this Ordinance are the same as those fees charged in the Republic in respect of similar or substantially similar matters.

### **84. Specimen signatures**

On appointment, every chair is to provide a copy of his or her signature to the Area Officer.”.

## **12. New sections 86 (Delegation to the Republic) and 87 (Legal proceedings) inserted**

The principal Ordinance is amended by adding the following new sections—

### **“86. Delegation to the Republic**

- (1) For the purposes of this section, if a function is conferred or a duty imposed on the Area Office, that function or duty is conferred or imposed on the Area Officer.
- (2) A power conferred or duty imposed on the Area Officer by this Ordinance is a delegated function for the purposes of the Delegation of Functions to the Republic Ordinance 2007(e).
- (3) A power conferred or duty imposed on the Chief Officer by this Ordinance, other than under section 18, is a delegated function for the purposes of the Delegation of Functions to the Republic Ordinance 2007.
- (4) A power conferred or duty imposed on the Administrator by section 18(1) is a qualified delegated function for the purposes of the Delegation of Functions to the Republic Ordinance 2007.
- (5) A power conferred or duty imposed on the Administrator by sections 62, 68, 69 and 73, is a delegated function for the purposes of the Delegation of Functions to the Republic Ordinance 2007.
- (6) A function carried out by an officer of the Republic before 16 May 2011 is to be treated in all respects as having been lawfully delegated to that officer even if the consent of the Chief Officer was not obtained before that function was carried out.

### **87. Legal Proceedings**

- (1) A court of the Areas may take judicial notice of Republican law and of any other Republican document of any description granted or otherwise made under Republican law.
- (2) The production of a copy of any part of a Republican enactment—
  - (a) contained in a printed collection of enactments purporting to be printed and published by an authority of the Republic;
  - (b) contained in an issue of the Official Gazette of the Republic; or
  - (c) purporting to be printed by the Government Printer of the Republic, by whatever name called;

is evidence for all purposes, and may be held by a Court to be conclusive evidence, of the due and lawful making of that enactment.

- (3) For the purposes of this section, a version of any part of a Republican enactment in the English language—
- (a) purporting to be produced by an authority of the Republic;
  - (b) certified as being accurate by an officer of the Administration considered by the Court to have been at the time of such certification a competent and adequate translator into the English language from the language in which the Republican enactment was published in the Republic;
  - (c) given or produced in the course of oral evidence of a person whom the Court considers to be a competent translator for the purpose; or
  - (d) stated orally in court or produced in writing by a Registrar or official court interpreter;

may in any of those cases be held by the Court to be conclusive evidence for all purposes that such version is the accurate English version of the Republican enactment or part of the Republican enactment in question.

- (4) For the purposes of this section, the production of—
- (a) a relevant document, the accuracy of which is certified in writing by a senior officer of the Government Department of the Republic responsible for the relevant enactment under which the relevant document was made; or
  - (b) an English translation of a relevant document, the accuracy of which is certified in writing by a translator of recognised competence;

may be held by the Court to be conclusive evidence for all purposes of the contents of such document.”.

### **13. Schedule 3 (Certifications) repealed and replaced**

Schedule 3 of the principal Ordinance is repealed and replaced with the following schedule—

#### **“Schedule 3**

(Section 82)

#### **Certifications**

##### **Form A**

Signed (sealed or marked) this day in my presence by A.B who is personally known to me.

or

Declared to me by A.B., who is personally known to me, that the above signature (seal or mark) is his/hers.

In testimony whereof I hereto set my signature and seal of the Community Council.

Seal

Signature (Chairman of Community Council)

##### **Form B**

Signed (sealed or marked) this day by A.B. in my presence and the presence of C.D. and E.F. who are respectively personally known to me and who have declared to me that they personally know A.B. and identified him/her to me.

or

Declared to me this day by A.B. that the signature is his/her own, in the presence of C.D. and E.F. who are respectively personally known to me and who have declared to me that they personally know A.B.

In testimony whereof I hereto set my signature and seal of the Community Council.

Seal

Signature (Chairman of Community Council).”.

#### **14. Schedule 4 repealed**

Schedule 4 is repealed.

#### **15. Repeals**

The Ordinances listed in the Schedule are repealed.

##### **Schedule**

(Section 15)

##### **List of Ordinances repealed**

1. The Immovable Property (Tenure, Registration and Valuation) (Amendment) Ordinance 1987**(f)**.
2. The Immovable Property (Tenure, Registration and Valuation) (Amendment) Ordinance 1987**(g)**.
3. The Immovable Property (Tenure, Registration and Valuation) (Amendment) Ordinance 1988**(h)**.
4. The Immovable Property (Tenure, Registration and Valuation) (Amendment) Ordinance 1990**(i)**.
5. The Immovable Property (Tenure, Registration and Valuation) (Amendment) Ordinance 2010**(j)**.

---

#### **Notes**

- (a)** Cap 224, 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).
- (b)** Cap 224, Laws of Cyprus.
- (c)** Ordinance 5/60.
- (d)** Ordinance 18/99.
- (e)** Ordinance 17/07.
- (f)** Ordinance 5/87.
- (g)** Ordinance 18/87.
- (h)** Ordinance 21/88.
- (i)** Ordinance 8/90.
- (j)** Ordinance 2/10.

## EXPLANATORY NOTE

### (This note does not form part of the Ordinance)

1. This explanatory note relates to the Immovable Property (Tenure, Registration and Valuation) (Amendment) Ordinance 2011 (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 comes into force on 13 June 2011.
3. The Ordinance amends the Immovable Property (Tenure, Registration and Valuation) Ordinance (the “principal Ordinance”) to reflect various amendments made by the Republic to the Republican Immovable Property (Tenure, Registration and Valuation) Law since 1999. The Ordinance also consolidates some previous amendments and consequently repeals some earlier amending ordinances. The provisions dealing with delegation of functions to the Republic are now contained within the principal Ordinance.
4. Section 2 of the Ordinance amends various definitions, including a definition of the “corresponding Republican Law” and a new definition of “land register” to include computerised records.
5. Section 4 of the Ordinance consolidates section 10A of the principal Ordinance without substantive amendment.
6. Section 5 of the Ordinance consolidates and amends section 18 of the principal Ordinance. Section 18(1) of the principal Ordinance permits the Administrator to lease any part of the foreshore (which is vested in the Crown by section 8 of the principal Ordinance) for the purposes of harbours, jetties, piers, wharves, fisheries and any other purpose of public utility subject to such conditions as the Administrator may think fit. Section 5 inserts new provisions into section 18. Section 18(9) permits the Administrator to make an order prohibiting or restricting use of part of the foreshore by the public if that foreshore has been leased under subsection 18(1).
7. Section 6 of the Ordinance consolidates section 27 without amendment.
8. Section 7 of the Ordinance re-enacts section 41 of the principal Ordinance with amendments reflecting amendments made by the Republican Immovable Property (Tenure, Registration and Valuation)(Amendment) (No. 3) Law of 2010 (Law 82(I)/2010). Section 41 deals with the registration of immovable property owned by religious corporations and sets out the procedure for the registration of immovable property owned by a religious corporation.
9. Section 8 of the Ordinance re-enacts section 51 of the principal Ordinance with amendments reflecting amendments made by the Republican Immovable Property (Tenure, Registration and Valuation) Law 2010 (Law 27(I)/2010). Section 51 requires separate land registers to be kept for each district, municipality, community or (where the Chief Officer orders) for each municipality or community parish instead of for each town or village. Section 51A has been consolidated into the amending Ordinance using more modern language.
10. Section 9 of the Ordinance re-enacts section 74 with amendments. The amendments are that objections to a valuation or revaluation of land, together with the appropriate fee, are now lodged with the Chief Officer (and not at the Area Office). The provision regarding the fee for considering such an objection has been amended so that it is the same as the fee in the Republic.
11. Section 10 of the Ordinance re-enacts sections 78 and 79 of the principal Ordinance with amendments reflecting amendments made by the Republican Immovable Property (Tenure, Registration and Valuation) (Amendment) Law 2006 (Law 5(I)/2006). The amendments to section 78 permit a person who is not a valuer but is authorised by the Chief Officer, to enter property to perform functions under the principal Ordinance. Amendments consequential to those made to section 78 are made to section 79, which sets out various offences under the principal Ordinance.
12. Section 11 of the Ordinance re-enacts sections 82, 83 and 84 of the principal Ordinance with amendments reflecting amendments made by the Republican Immovable Property (Tenure, Registration and Valuation) (Amendment) Law of 2001 (Law 123(I) 2001) and with amendments reflecting amendments made by the Republican Immovable Property (Tenure, Registration and Valuation) (Amendment) (No. 4) Law of 2007 (Law 165(I) 2007). These sections deal with documents issued by village authorities and have been updated to take account of the change of

name of the head of the community. Section 83 deals with fees and has been amended to provide that the fees payable to village authorities for the issue of certificates are the same as the fees payable in the Republic for the same or substantially the same matter.

13. Section 12 of the Ordinance inserts new sections 86 and 87 into the principal Ordinance. Section 86 of the principal Ordinance deals with delegation of functions to Republican officials. Most functions in the principal Ordinance are performed by the “Director”. Under section 4(1) (m) of the Laws (Adaptation and Interpretation) (Consolidation and Extension) Ordinance 1968 references in Ordinances originally enacted as Laws of the Colony of Cyprus to any public officer or department of the Colony are to be construed as references to the Chief Officer. Therefore, references to the Director in the principal Ordinance should be read as references to the Chief Officer.

14. Section 86 of the principal Ordinance specifies those functions which are delegated to the Republic in accordance with the Delegation of Functions to the Republic Ordinance 2007. Most of the functions are general delegated functions, meaning that the consent of the officer of the Areas who performs the function (normally the Chief Officer) is not necessary for the performance of that function. The power in section 18(1) to lease immovable property vested in the Crown is a qualified delegated function, meaning that the consent of the Administrator is required before the power may be exercised. Section 87 makes provision for proving Republican law in the courts of the Areas.

(SBA/AG/2/LD/137)