

CYPRUS

BOMBARDMENT RANGE AREAS

CHAPTER 213 OF THE LAWS

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1959

CHAPTER 213.

BOMBARDMENT RANGE AREAS.

ARRANGEMENT OF SECTIONS.

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A LAW TO MAKE PROVISION FOR THE USE OF AREAS IN
CYPRUS AS BOMBARDMENT RANGE AREAS FOR HER
MAJESTY'S FORCES.

1949
Cap. 222.
23 of 51.
38 of 58.

[11th June, 1948.]

Short title.

1. This Law may be cited as the Bombardment Range Areas Law.

Declaration
of Bombard-
ment Range
Areas.
2 of 23/51.

2. The Governor may, by a notice to be published in the Gazette, declare any area in the Colony to be a Bombardment Range Area for use by Her Majesty's Forces, for such period as may be specified in the notice, as a practice area for the firing of all kinds of ammunition (including rocket projectiles) from any vessel, aircraft, vehicle, artillery weapon, firearm or any other weapon issued for use by Her Majesty's Forces, or for the dropping of live or other bombs from any aircraft or for detonations.

Regulations.

3. (1) The Governor may, with regard to any bombardment range area, make Regulations to be published in the Gazette for all or any of the following matters, that is to say—

- (a) for regulating the use of a bombardment range area by Her Majesty's Forces and for securing the public against any danger deriving from such use.
- (b) for regulating or prohibiting the use of a bombardment range area by the public, including the evacuation thereof by persons and animals;
- (c) for regulating or prohibiting the use of aircraft over a bombardment range area;

2 of 38/58.

(d) for enabling the Governor or such authority as may be specified in the Regulations to issue such orders as to the Governor or such authority may appear necessary for giving effect to the Regulations and for the manner of publication and enforcement of such orders;

(e) generally for the better carrying out of the purposes of this Law.

(2) Any person who fails to observe or comply with, or who contravenes, any Regulations made under this Law or any order made under such Regulations shall be guilty of an offence and shall be liable to imprisonment not exceeding three years or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

4. (1) Where any injury to any person or damage to any property or rights is caused in consequence of the use of an area as a bombardment range area or in consequence of any Regulations made under this Law or any order made under such Regulations, compensation assessed in accordance with the provisions of this Law shall be paid by Government in respect of any such injury or damage: Compensation.

Provided always that no compensation shall be paid in respect of any injury to any person or damage to any property or rights which has been occasioned by the failure of the person aggrieved to observe or comply with any Regulations made under this Law or any order made under such Regulations.

(2) For the purposes of this section, any expenses incurred by any person in connection with the evacuation of a bombardment range area by himself and his animals and any expenses incurred in connection with the return of such person and animals to the evacuated area shall be deemed to be damage to property and compensation therefor may be assessed accordingly.

5. Any dispute as to whether any compensation is payable under this Law or as to the amount of any compensation so payable shall, in default of agreement be referred to, and determined by, a tribunal constituted under the provisions of this Law and the decision of that tribunal shall be final. Determination of claims for compensation.

6. (1) For the purpose of determining disputes as to the payment of any compensation under this Law, there shall Constitution and incidental

power of
Tribunal.

be constituted a tribunal (hereinafter referred to as "the Tribunal") consisting of a President of a District Court as President and of two other members appointed by the Governor.

(2) The Tribunal shall have the following powers, that is to say—

- (a) to make, with the concurrence of the Governor, rules prescribing the procedure for notifying, presenting and hearing claims for compensation and all matters incidental thereto;
- (b) to order persons to attend and give evidence, and to produce and give discovery and inspection of documents, in like manner as in proceedings in a District Court;
- (c) to award and assess, or direct the assessment of, such sums by way of costs as the Tribunal in its discretion thinks just, and in particular to award costs to an unsuccessful claimant where such an award appears to the Tribunal to be justified on the merits of the case;
- (d) to call in the aid of one or more assessors specially qualified and hear any claim wholly or partly with their assistance;
- (e) to appoint an expert or experts to report on any matter material to the hearing of any claim;
- (f) to determine, subject to the approval of the Governor, the remuneration (if any) of such assessors and experts.

(3) Rules made in pursuance of paragraph (a) of subsection (2) hereof may contain provisions authorizing the Tribunal to take into consideration any matter which the Tribunal considers relevant to the subject of the inquiry before it, notwithstanding that the matter is not admissible in evidence under any law relating to evidence in force for the time being.

Limitation
of time for
claiming
compensa-
tion.

7. No claim for any compensation under this Law shall be entertained unless application therefor is made within the period of six months, or such longer period as the Tribunal may allow in relation to any particular claim, beginning with the date on which the compensation accrues due.

8. The provisions of this Law shall be without prejudice to any agreement for the making of any payment (whether by way of compensation or otherwise) in respect of the doing of anything by, or on behalf of, Her Majesty's Forces in connection with the use of a bombardment range area; but, save as aforesaid, any claim for compensation shall be determined and any compensation shall be payable in accordance with this Law and not otherwise.

No compensation payable apart from this Law.

