



**SUPPLEMENT No. 2**  
TO  
**THE SOVEREIGN BASE AREAS GAZETTE**  
No. 329 of 14th May, 1971.  
**LEGISLATION**

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ORDINANCE 8 OF 1971.

**AN ORDINANCE**

TO AMEND AND CONSOLIDATE THE PROVISIONS  
RELATING TO FEES AND CHARGES LEVIED AND  
TAKEN IN RELATION TO IMMOVABLE PROPERTY  
IN THE SOVEREIGN BASE AREAS.

DEREK HODGKINSON  
ADMINISTRATOR

*5th May, 1971.*

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

1. This Ordinance may be cited as the Lands and Surveys (Fees and Charges) Ordinance, 1971. Short title.

2. In this Ordinance, unless the context otherwise requires —

“Chief Officer” means the Chief Officer, Sovereign Base Areas and includes any officer appointed by him for any of the purposes of this Ordinance ;

“sale price” in relation to a declaration for transfer of immovable property by virtue of a sale, means the price declared for the transfer of the property in such declaration of transfer by the transferor and the transferee ;

“value” in relation to immovable property means the value of the property registered or recorded in the books of any Area Office or, where there is no such value, a value determined for the purposes of this Ordinance.

3. Subject to the exemptions provided therein, the several fees and charges set out in the Schedule shall be levied and taken in respect of the several matters therein set out in such manner

Fees and charges in the Schedule to be levied and taken. Schedule.

as may be directed from time to time by the Chief Officer, and the same shall, when levied and taken, form part of the revenue of the Republic :

Provided that the Administrator may by Order published in the Gazette —

- (a) delete or reduce any such fee or charge, or increase the same by an amount not exceeding one-half thereof ;
- (b) exempt from the payment of any such fee or charge the government of any foreign power with which Her Majesty's Government in the United Kingdom or the Republic has made arrangements for reciprocal exemption from such fees or charges :

Provided further that the Chief Officer may, at his discretion, waive or reduce any such fee or charge in respect of any matter relating to a case promoting or tending to promote the consolidation of immovable property or of separate interests in immovable property or the elimination of dual ownership of immovable property.

Power to require deposit of fees.

4.—(1) Before performing any service for which a fee or charge is leviable under the provisions of this Ordinance, the Chief Officer may require any person who applies for such service to deposit at the Area Office such sum as shall, in the opinion of the Chief Officer, be sufficient to cover the fee or charge that may be required for the performance thereof.

(2) When a sum has been deposited for the performance of any service, as in subsection (1) provided —

- (a) upon performance of such service, any part of the sum so deposited in excess of the fee or charge leviable for such service under the provisions of this Ordinance shall, if not less than one hundred and fifty mils, be refunded;
- (b) any balance of the fee or charge leviable for such service under the provisions of this Ordinance which remains unpaid shall, if less than one hundred and fifty mils, be waived;
- (c) subject to the provisions of paragraph (a) of this subsection where the person who applies for such service withdraws his application or the Chief Officer is unable to perform such service, there may be refunded the whole or such part of the sum so deposited as the Chief Officer may, at his discretion, determine having regard to the time spent in preparatory work relating to that service.

Fees and charges to be a charge on immovable property.

5. Subject to the provisions of subsection (2) of section 4, where any service in a matter relating to immovable property has been performed by the Chief Officer on the application or at the request of the owner of such immovable property or of the person entitled to be registered as the owner thereof, any balance of the fee or charge leviable for such service under the provisions of this Ordinance which remains unpaid shall be a charge on such immovable property and shall have priority over all other charges and encumbrances whatsoever, whether

accruing before or after such service has been performed, and no transfer or mortgage of such property shall be registered except upon payment of such balance; and where the property is to be sold for the satisfaction of any other charge or encumbrance, the sale shall be subject to a reserve price which shall not be less than the balance hereinbefore mentioned.

6. Notwithstanding anything in this Ordinance contained, where the Crown in any capacity or the Republic is a party to any transaction, no fee or charge shall be levied or taken under the provisions of this Ordinance if the Crown or the Republic, as the case may be, would have been liable to pay such fee or charge if this section had not been enacted.

Fees for transactions with the Crown or the Republic.

7. No fee shall be levied or taken under the provisions of this Ordinance upon the registration of a title to immovable property acquired by inheritance other than the fee for the application and the fee for the issue of a certificate of registration.

Fee on registration of immovable property acquired by inheritance.

8. The Lands and Surveys (Fees and Charges) Ordinance and subsection (6) of Section 31 of the Immovable Property (Transfer and Mortgage) Ordinance, 1966 are hereby repealed without prejudice to anything done or left undone thereunder.

Repeals.  
Cap. 219  
(Laws of  
Cyprus),  
Ordinance  
17 of 1966.  
Ordinance  
16 of 1966.

## SCHEDULE

(Section 3).

### TABLE OF FEES AND CHARGES TO BE LEVIED AND TAKEN IN MATTERS RELATING TO IMMOVABLE PROPERTY.

1. Local Enquiries —

- |                                                                                                                                                                                                                        |           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| (i) for each application.....                                                                                                                                                                                          | 750 mils; |
| (ii) plus for each parcel of property involved .....                                                                                                                                                                   | 100 mils; |
| (iii) plus for survey work done, such fee as the Administrator may, by a notice in the Gazette, from time to time approve, having regard to the time spent, salaries, allowances and any incidental expenses incurred: |           |

Provided that —

- (a) no fee shall be levied for survey work done for correcting or adding to the plan of an existing registration unit;
- (b) no fee other than the fee for survey work shall be levied for the demarcation of the boundaries of a registered property or for special surveys unconnected with land registration ;
- (c) an additional fee of 500 mils shall be levied for each parcel of property involved in an application for partition by the Chief Officer of immovable property held in undivided shares;
- (d) the Chief Officer may, at his discretion, allow a refund of any fee paid for a local enquiry for transferring or writing off an assessment, if it is established that the property to which the assessment relates either belonged to a person other than the person assessed at the time the assessment was made or that it does not exist at the date of the local enquiry;
- (e) where, at the discretion of the Chief Officer, an enquiry is treated as an accelerated one, the Chief Officer may increase the fee by an amount not exceeding twice as much thereof, and, in addition, levy such extra charge as he may determine having regard to salaries, allowances, travelling and other incidental expenses connected with such local enquiry and the priority given.

2. Applications —

for each application for registration of immovable property which does not entail a local enquiry .....	250 mils.
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3. Registration of title (payable by the person to be registered) —

- (a) by undisputed adverse or *ab antiquo* possession,  
reckoned on the value of the property ..... 4 per cent;
- (b) by declaration of transfer —
- (i) upon exchange, reckoned on the value of  
immovable property taken by each party  
involved in the declaration ..... 2 per cent;
- (ii) upon gift or sale by parent to child,  
reckoned on the value of the property ..... 2 per cent;
- (iii) upon gift by relation to relation, including  
third degree relationship, other than by parent  
to child, and upon gift by one spouse to another,  
reckoned on the value of the immovable  
property ..... 4 per cent;
- (iv) upon sale other than by parent to child  
reckoned on the sale price ..... 4 per cent:

Provided that whenever the Chief Officer is not satisfied that the declared sale price reflects the market value of the immovable property as at the date when the sale was agreed, the Chief Officer may, at his discretion, levy and take a fee of four per cent reckoned on the market value thereof. In such a case the registration in the name of the purchaser shall be made without waiting for the assessment of the market value on the immovable property by the Chief Officer and as soon as the fees on the declared sale price are paid in addition to any amount which the Chief Officer may determine in order to cover the balance of the fees payable upon the completion of the assessment of the market value of the immovable property :

Provided further that such assessment of the market value shall be made within a period of three months from the date of the declaration of transfer. The assessment of the market value shall be communicated to the transferee who shall be entitled to appeal under section 80 of the Immovable Property (Tenure, Registration and Valuation) Ordinance:

Cap 224 and 3  
or 1960 (Laws  
of Cyprus),  
Ordinance  
12 of 1966.

Provided further that if the fees or charges already levied are less than those liable to be paid on the market value of the immovable property, the balance shall be levied and taken as provided by Section 5 of this Ordinance;

- (v) upon gift other than by parent to child or by  
relation to relation, including third degree  
relationship, or by one spouse to another spouse,  
reckoned on the market value which the Chief  
Officer may determine ..... 4 per cent:

Provided that for the purpose of this sub-paragraph, the provisoes of sub-paragraph (iv) of this paragraph shall apply *mutatis mutandis* to the assessment of the market value and the taking of fees;

- (c) by purchase at auction, reckoned on the sale price ..... 4 per cent;
- (d) by compulsory acquisition, reckoned on the compensation paid ..... 4 per cent.

4. Mortgages—

- (a) on the registration of a mortgage (payable by the mortgagor)—

on the amount advanced or where, after the Immovable Property (Transfer and Mortgage) Ordinance, 1966 came into operation, the mortgage is made for securing a future or contingent liability, including a liability in respect of money to be advanced by instalments or the balance due on a current account, on the maximum possible amount of such liability specified in the mortgage (excluding interest) ..... 1 per cent:

Ordinances  
16 of 1966,  
14 of 1970.

Provided that where an existing mortgage is cancelled and on the same day a new mortgage is declared, the parties to the declaration and either the properties mortgaged or the amount secured, other than interest, being the same, the fee shall be either as hereinbefore provided or £ 1 plus 1 per cent on the amount, if any, by which the amount secured under the new mortgage exceeds the amount secured under the previous mortgage (excluding in either case interest due or to become due), whichever is less;

- (b) on the transfer of a mortgage (payable by the transferee) after the Immovable Property (Transfer and Mortgage) Ordinance, 1966 came into operation—

on so much of the amount advanced under the mortgage as remains unpaid on the day of the transfer or, where the mortgage was made for securing a future or contingent liability, including a liability in respect of money to be advanced by instalments after the date of the transfer of the mortgage or the balance due on a current account, on the maximum possible amount of such liability specified in the mortgage (excluding interest due or to become due) —

- (i) if the transfer is by parent to child ..... ½ per cent;
- (ii) if the transfer is other than by parent to child ... 1 per cent.

EXEMPTIONS

No fee shall be levied and taken on the registration of a mortgage made by the Chairman of a Village Commission or by the Committee constituted under the Akrotiri Village (Special Provisions) Ordinance, 1966 or by a Postal Agent as security for the due performance of their duties.

Ordinance  
3 of 1966.

## 5. Transmission fees —

- (a) for each declaration of transfer or mortgage made in one Area for transmission to another Area, payable by the transferee or the mortgagor, as the case may be 150 mils;
- (b) for each memorandum requesting the release of immovable property from a mortgage or the discharge of a mortgage, produced in the Area Office of one Area for transmission to another Area, payable by the mortgagee ..... 150 mils.

## 6. Sales by auction —

- (a) for acceptance of documents authorising sale ..... 250 mils;
- (b) for acceptance of documents applying for sale ..... 400 mils;
- (c) for preparing notices of sale —
- (i) where the value of property to be sold does not exceed £ 100 ..... 300 mils;
- (ii) for every additional £ 100 or part thereof ..... 150 mils;

Provided that the total fee shall not exceed £ 2.

- (d) for distribution of proceeds of sale of indivisible property held in undivided shares ..... 250 mils;
- (e) for making a final account ..... 150 mils;
- (f) for issuing a copy of the final account ..... 100 mils.

## 7. Charges —

- (a) for acceptance of documents attaching or purporting to attach or charge an encumbrance (other than a mortgage) on immovable property or prohibiting the owner of any immovable property from transferring or mortgaging such property and for noting such encumbrance or prohibition in the books ..... 250 mils;
- (b) for acceptance of documents extending the period of recording the decision of a Court of the Areas or the Republic ..... 150 mils.

## 8. Record of rights, easements, etc. —

for recording the grant or existence of any right, privilege, liberty, easement or other advantage in the Land Register and in the certificate or certificates of registration for each of the properties involved ..... 100 mils.

## 9. Searches —

- (a) for the registered properties of a named owner or co-owners —
- (i) for each village or quarter, for each certificate of search or copy thereof ..... 400 mils;

- (ii) plus where the boundaries of the properties are required to be given such extra charge as the Administrator may, by a notice in the Gazette, from time to time approve, having regard to the time spent in supplying the information, salaries and allowances;
- (b) for the registered properties standing on the land of a named person but belonging to a person other than the person named —  
     for each plot of land ..... 300 mils;
- (c) for the registered land on which properties belonging to a named person stand but which does not belong to the person named —  
     for each plot of land ..... 200 mils;
- (d) for particulars of previous registrations of a specific registered property ..... 300 mils;
- (e) for particulars of subsequent transfers of a specific registered property ..... 300 mils;
- (f) for the name of the registered owner or co-owners of a specific registered property —  
     for each property ..... 200 mils;
- (g) for the registration number, given sufficient particulars to identify the registration —  
     for each registered property ..... 100 mils;
- (h) for the assessed properties of a named person —  
     for each village or quarter, for each certificate of search or copy thereof ..... 200 mils;
- (i) for any other information not specified above such fee as the Administrator may, by a notice in the Gazette, from time to time approve, having regard to the time spent, salaries and allowances.
10. Certificates of Indivisibility —  
     for each property involved ..... 100 mils.
11. Certificates of Registration —  
     of title, mortgage or charge ..... 100 mils.
12. Leases under the Public Lands (Leases) Ordinance —
- (a) for registration, including the issue of one true copy of the lease for each donum or part thereof ..... 500 mils;
- (b) for every subsequent copy of the lease —
- (i) for the first 200 words ..... 250 mils;
- (ii) for every further 100 words or part thereof ..... 50 mils.



13. Copies —

- (a) of maps and plans —  
 a charge determined by the Chief Officer according  
 to size and scale, with a minimum charge of ..... 150 mils;
- (b) of other documents —
  - (i) for the preparation and certification of a copy —  
 for each page one square foot in extent or  
 part thereof ..... 200 mils;
  - (ii) for the certification of a copy prepared other  
 than in an Area Office for each page one  
 square foot in extent or part thereof ..... 100 mils;
- (c) of certificates of registration —  
 of title, mortgage or charge ..... 250 mils.

14. Evidence before any Court, Tribunal, Board or person  
 empowered to summon witnesses —

such fee as the Administrator may, by a notice in the  
 Gazette, from time to time approve, having regard  
 to the time spent in preparing for and giving the  
 evidence, salaries, allowances and travelling expenses  
 incurred.

15. Notices —

for the giving of notice by the Chief Officer, after the  
 Immovable Property (Transfer and Mortgage)  
 Ordinance, 1966 came into operation —

Ordinances  
 16 of 1966,  
 14 of 1970.

- (a) to a mortgagee, that the immovable property  
 mortgaged to him has been transferred to another  
 person ..... 200 mils;
- (b) to a mortgagor, that the mortgagee has transferred  
 the mortgage to another person ..... 200 mils;
- (c) to a mortgagee, that a prior mortgage subsisting  
 on the same immovable property has been transferred  
 to another person ..... 200 mils;
- (d) to a mortgagee, that an application has been made  
 for the sale of the immovable property mortgaged  
 to him in satisfaction of the amount secured by another  
 mortgage thereon ..... 200 mils.

16. Any service not otherwise specified —

such fee as the Administrator may, by a notice in the  
 Gazette, from time to time approve, having regard to  
 the time spent in preparing for and providing the  
 service, salaries, allowances and travelling expenses  
 incurred.

J.E. CARRUTHERS

Chief Officer.

5th May, 1971.

