



SUPPLEMENT No. 2
TO
THE SOVEREIGN BASE AREAS GAZETTE

No. 828 of 10th November, 1988.

LEGISLATION

ORDINANCE 20 OF 1988.

AN ORDINANCE

TO AMEND THE FOREST ORDINANCE, 1980.

J P W FRIEDBERGER
ADMINISTRATOR

4th November, 1988.

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 Forest (Amendment) Ordinance, 1988 and shall be read as one with the Forest Ordinance, 1980 as amended by the Forest (Amendment) Ordinance, 1987 (hereinafter referred to as “the principal Ordinance”).

Short title.

Ordinances
14/80, and 16/87.

2. Section 3 of the principal Ordinance is hereby amended:—

Section 3 of
the principal
Ordinance
amended.

- (a) by re-numbering the said Section as subsection (1); and
- (b) by inserting immediately thereafter the said subsection (1) as re-numbered, the following three new subsections to be numbered (2), (3) and (4) respectively:—

“(2) Without prejudice to the provisions of subsection (1) of this Section and to any powers conferred upon the Administrator under the provisions of the Interpretation Ordinance or any other Ordinance, the Administrator, may, from time to time, by Order published in the Gazette, revoke, without prejudice to anything done or left undone thereunder, any Public Instrument or part of a Public Instrument now relevant to the Sovereign Base Areas made under the provisions of the Ordinance repealed by this Ordinance which declared that any forest or area or part of a forest or area lying within the Areas since the 16th of

Cap. 1— (Laws
of Cyprus).

August, 1960, should be a Main State Forest or a Minor State Forest and further declare in such Order that such part or portion of such part of any such State Forest previously so declared under the provisions of the said repealed Ordinance and now lying within the Areas, shall continue to be a Main State Forest or a Minor State Forest, as the case may be, for the purposes of this Ordinance. Any such Order shall be treated for all purposes as having come into effect on the 16th of August, 1960.

(3) The proviso to subsection (1) of this Section shall not apply to an Order made under the provisions of subsection (2) of this Section :

Provided that no Order made under the provisions of the said subsection (2) shall include any private property within the boundaries of a State Forest other than private property which lay within the boundaries of a State Forest declared by a Public Instrument which is revoked by such an Order and which continues to lie within similar boundaries declared under the provisions of the said subsection to be boundaries of a State Forest ;

(4) No Order made under the provisions of subsection (2) of this Section shall extend or otherwise alter the substance of the existing boundaries of any State Forest lying within the Areas immediately before the making of such Order, but the boundaries declared under the provisions of such Order may be described by references to survey plans or sheet numbers of survey plans retained in the custody of an authority of the Administration designated in such Order and any such survey plan or sheet number certified by such authority as being the survey plan or sheet number or in any such case any copy certified as a true copy thereof, and designated in such certification as being the survey plan or sheet number or certified copy thereof referred to in any part of such Order, shall be irrebuttable evidence of the boundaries of any State Forest or any property excluded from a State Forest declared in the said Order.”.

4th November, 1988.
(106/11)

A J H ADAMS,
Chief Officer.

ORDINANCE 21 OF 1988.

AN ORDINANCE

**TO AMEND THE IMMOVABLE PROPERTY (TENURE,
REGISTRATION AND VALUATION), ORDINANCE.**

**J P W FRIEDBERGER
ADMINISTRATOR**

7th November, 1988.

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 Immovable Property (Tenure, Registration and Valuation) (Amendment) Ordinance, 1988 and shall be read as one with the Immovable Property (Tenure, Registration and Valuation) Ordinance as amended from time to time (hereinafter referred to as “the principal Ordinance”).

Short title.

Cap. 224—(Laws of Cyprus).
Ordinances
12/66, 11/84,
1/85, 12/85, 5/87
and 18/87.

2. Section 18 of the principal Ordinance is hereby amended by inserting immediately after subsection (1) thereof the following new subsections to be numbered (2) and (3) :—

Section 18 of
the principal
Ordinance
amended.

“(2) The facts set out in a Certificate under the hand of the Chief Officer shall, in any proceedings before any Court, be irrebuttable evidence that the Administrator or the Governor or Governor in Council of the former Colony has granted, leased, exchanged or otherwise alienated any immovable property currently lying within the Areas and currently owned by the Crown in right of the Sovereign Base Areas Administration, (the said property being specified and described in such Certificate) to the Crown in right of the United Kingdom Government or the Republic or any Authority of the Administration or the Republic (including any Authority of the former Colony which on the 16th of August, 1960 became an Authority of the Administration or the Republic) or any specified person, body of persons or organisation having legal personality, and in the case of

any lease or other alienation of any immovable property under which the Crown in right of the Government of the former Colony or the Crown in right of the Sovereign Base Areas Administration, as the case may be, had not ceased to be the owner, the conditions, set out in the said Certificate, under which the lessor or the Government, Authority, person, body of persons or organisation in whose favour the said immovable property is otherwise alienated, occupies the said immovable property.

(3) In any Certificate referred to in subsection (2) of this Section, references to maps or charts purporting to designate the position of any immovable property referred to in such Certificate, shall be treated as facts for the purposes of the said subsection (2), and any such map or chart bearing the signature of the Chief Officer and attached to and clearly relating to the said Certificate, shall be treated as if it were part of such Certificate.”.

Section 27
of the principal
Ordinance
amended.

Ordinance 18/87.

3. Section 27 of the principal Ordinance is hereby amended—

- (i) by re-numbering all references to subsection (1) and subsection (1A) as inserted in the said Section 27 by Section 2 of the Immovable Property (Tenure, Registration and Valuation) (Amendment) Ordinance, 1987, which appeared in Gazette No. 793 of the 14th November, 1987 as references to subsection (1A) and (1B) respectively ; and
- (ii) by inserting immediately after paragraph (f) of subsection (1A) thereof the following new paragraphs :—

“(g) Where any building site is registered in the names of more than two persons, it shall be lawful for the Chief Officer, on the application by one of the co-owners, to cause a subdivision of the site into separate plots in accordance with the number of co-owners and issue titles in the name of each separate co-owner, only if the separate plots resulting from the said subdivision are of an area in excess of 2,800 square feet :

Provided that where two or more co-owners, the separate share of any one of whom has an area below 2,800 square feet, agree to be jointly registered for a separate building site which after the partition shall have an area of a minimum of 2,800 square feet, the Chief Officer shall cause the partition of the said building site and issue a title in the names of the co-owners in fair shares.

- (h) Where one of the undivided fair shares of a building site is registered in the names of two or more persons, the other being registered in the name of only one person, the Chief Officer, shall on the application by one of the registered co-owners cause the subdivision of the said building site into two separate building sites and issue separate titles in respect of each of them as follows :—

- (1) A title in the names of the two or more persons who are registered co-owners of the one undivided fair share of the building site.
 - (2) A separate title in the name of the person who is registered as the sole owner of the other undivided fair share of the building site.
- (i) Where a building site which is registered in the names of two or more persons has on one of its sides a dwelling which was erected before the coming into force of this Ordinance by any of the registered co-owners, the Chief Officer, on the application by any of the registered co-owners, shall cause the subdivision of the said building site into two separate plots and issue separate titles in respect of each of them, if after the partition, both that part which contains the dwelling and the other part, can properly and conveniently be held and enjoyed as self-contained estates.
 - (j) The distribution of the property resulting from the subdivision referred to in paragraphs (g) to (i) shall be conducted in correspondence with the application of the provisions contained in paragraphs (b), (c), (d) and (e) of this subsection.”.

7th November, 1988.
(118/3A)

A J H ADAMS,
Chief Officer.
