Ordinance 4 of 2011
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SALE OF LAND (SPECIFIC PERFORMANCE) (AMENDMENT) ORDINANCE 2011

An Ordinance to amend the Sale of Land (Specific Performance) Ordinance 1973

G. E. STACEY
ADMINISTRATOR

8th February 2011.

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 Sale of Land (Specific Performance) (Amendment) Ordinance 2011.

2. Interpretation

In this Ordinance, "the principal Ordinance" means the Sale of Land (Specific Performance) Ordinance 1973**(a)**.

3. Section 2 (Formalities necessary for enforcement of contract) amended

Section 2(b) of the principal Ordinance is amended–

(a) by repealing "at the appropriate Area Office" and replacing it with "with the Area Officer"; and

(b) by repealing "Area Office land registers" wherever it appears and replacing it with "land register".

4. Section 3 (Enforcement of contract) amended

Section 3 of the principal Ordinance is amended—

(a) by repealing "Area Office land registers" and replacing it with "land register"; and

(b) by repealing "at the Area Office" and replacing it with "to the Area Officer".

5. Section 4 (Order to be acted upon within three months) amended

Section 4 of the principal Ordinance is amended–

(a) by repealing "at the appropriate Area Office within which the property is situate" and replacing it with "to the Area Officer" ;

(b) by repealing "appropriate Area Officer" wherever it appears and replacing it with "Area Officer"; and

(c) by repealing "land registers of the Area Office" and replacing it with "land register".

6. Section 5 (Right to specific performance to cease if property not transferred in due time) amended

Section 5 of the principal Ordinance is amended by repealing "land registers of the Area Office" and replacing it with "land register".

7. Section 6 (Effect of Transfer under order for specific performance) amended

Section 6 of the principal Ordinance is amended by repealing "land registers of the Area Office" and replacing it with "land register".

8. Section 7 (Effect of deposit of copy of contract at an Area Office) amended

(1) Section 7(1) of the principal Ordinance is amended—

(a) by repealing "at an Area Office" and replacing it with "with the Area Officer";

(b) by repealing "at the Area Office" and replacing it with "with the Area Officer";

(c) by repealing "land registers of the Area Office" wherever it appears and replacing it with "land register".

(2) Section 7(2) of the principal Ordinance is amended by repealing "at an Area Office" and replacing it with "with the Area Officer".

9. Section 11 (Interpretation of the Ordinance to be identical, where appropriate, with Interpretation in the Immovable Property (Transfer and Mortgage) Ordinance 1966) replaced.

Section 11 of the principal Ordinance is repealed and replaced with—

"**11. Interpretation**

(1) Expressions in this Ordinance that also appear in the Immovable Property (Transfer and Mortgage) Ordinance 1966**(b)** have the same meaning as defined in that Ordinance.

(2) In this Ordinance "Area Officer" means the Area Officer of the Area in which the property in question is situated.".

10. New section 11A inserted

The principal Ordinance is amended by inserting the following new section after section 11—

"**11A. Delegation to the Republic**

Any 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**(c)**.".

11. Commencement

This Ordinance comes into force on 1 March 2011.

Notes
(a) Ordinance 4/73.
(b) Ordinance 16/66.
(c) Ordinance 17/07.

EXPLANATORY NOTE

(This note does not form part of the Ordinance)

1. This explanatory note relates to the Sale of Land (Specific Performance) (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 amends the Sale of Land (Specific Performance) Ordinance 1973 ("the principal Ordinance") by amending various expressions to clarify the role of the Area Officer in the operation of the principal Ordinance.

3. The Ordinance has been amended to delegate the functions of the Area Officer to the Republic, since the function of land registration in the Areas is carried on by the Republican Lands and Surveys Department on behalf of the Administration.

(SBA/AG/2/LD/598)

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