



SUPPLEMENT No. 3

TO

THE CYPRUS GAZETTE No. 2892 OF 10TH DECEMBER, 1940.

SUBSIDIARY LEGISLATION.

No. 441.

THE EMERGENCY POWERS (DEFENCE) ACTS, 1939 AND 1940.

REGULATIONS MADE BY THE GOVERNOR UNDER SECTION 1.

W. D. BATTERSHILL,
Governor.

I, the Governor, in exercise of the powers conferred by section 1 of the Emergency Powers (Defence) Acts, 1939 and 1940, as extended to the Colony by the Emergency Powers (Colonial Defence) Order in Council, 1939, and the Emergency Powers (Colonial Defence) (Amendment) Order in Council, 1940, do hereby make the following regulations:—

1.—(1) These regulations may be cited as the Compensation (Defence) Law (Amendment) Regulations, 1940.

(2) The Interpretation Law, 1935, shall apply to the interpretation of these regulations as it applies to the interpretation of a Law.

(3) In these regulations "the principal Law" means the Compensation (Defence) Law, 1940.

2. Sub-section (1) of section 2 of the principal Law shall be amended by the insertion of the following definitions in their appropriate alphabetical order:—

" 'prescribed' means prescribed by rules made by the Governor;

'the emergency' means the emergency that was the occasion of the passing of this Law; "

3. These regulations shall be deemed to have come into operation on the 29th day of August, 1939.

Made at Nicosia, this 18th day of November, 1940.

(M.P. 1271/40.)

No. 442. THE COMPENSATION (DEFENCE) LAW, 1940.

RULES MADE UNDER SECTIONS 13 AND 15.

W. D. BATTERSHILL,
Governor.

I, the Governor, in exercise of the powers conferred by sections 13 and 15 of the Compensation (Defence) Law, 1940, and of every other power hereunto enabling do hereby make the following rules:—

1. These rules may be cited as the Compensation (Defence) Notice of Claim Rules, 1940.

2. Claims for compensation or for the apportionment of compensation under the Compensation (Defence) Law, 1940, shall be made by notice in the appropriate form in the Schedule hereto.

3. Every such notice of claim shall be signed by the claimant or by a person duly authorized by the claimant on his behalf and shall be delivered in duplicate to such person as the authority by whom the requisition or acquisition was effected, or by or on whose behalf the act which is alleged to have given rise to a claim for compensation was done, shall direct, or, failing any such direction, to such authority.

SCHEDULE.

FORM 1.

THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.

Notice of Claim for compensation under section 4 (1) (a), (c) and (d) in respect of the taking of possession of land and/or buildings.

1. Name of claimant.
Address.
Business or description.
2. Situation and precise description of the land and/or buildings requisitioned with plan if available. (If agricultural land, state how much is arable and how much pasture).
Area of any adjoining land of the claimant of which possession has not been taken.
Buildings or parts of buildings on the land of which possession has not been taken.
3. Nature of interest.
If owner-occupier, state date of last known letting and give short particulars thereof.
If tenant, state—
 - (a) landlord's name and address;
 - (b) nature of tenancy or lease;
 - (c) date of tenancy or lease and short particulars and any special covenants or circumstances;
 - (d) how determinable and term unexpired;
 - (e) rent payable;
 - (f) who is responsible for—
 - (i) rates;
 - (ii) repairs;
 - (iii) insurance;
 - (iv) other expenses or outgoings, if any.
4. Annual value.
5. Particulars of mortgages, charges or other incumbrances, stating names and addresses of mortgagees, chargees or incumbrancers.
6. Particulars of outgoings.
7. Particulars, in the case of agricultural land, of the holding giving details in respect of—
 - (a) things previously done for the purpose of the cultivation of the land, and
 - (b) seeds;
tillages;
growing crops;
unexhausted manures;
other similar matters.
8. Date possession taken by competent authority.
9. Particulars of claim, showing how the amount claimed under each of the below mentioned heads is calculated—
 - (a) in respect of compensation under section 4 (1) (a);
 - (b) in the case of agricultural land the amount payable by an incoming tenant under section 4 (1) (c);
 - (c) in respect of expenses incurred in complying with directions (section 4 (1) (d)).

Dated the day of, 19.....

Signature of claimant.....

Name and address of advocate (if any).

Name and address of surveyor (if any).

This form is not to be used for claiming compensation for making good damage under section 4 (1) (b) (see Form 2) or for the requisition or acquisition of goods (see Form 13).

FORM 2.

THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.

Notice of Claim for making good damage under section 4 (1) (b) in respect of the taking of possession of land and/or buildings.

1. Name of claimant.
Address.
Business or description.
2. Situation and precise description of the property requisitioned.
3. Nature of interest.
4. Value of land and/or buildings requisitioned at date of taking possession.
5. Particulars of mortgages, charges or other incumbrances, stating names and addresses of mortgagees, chargees or other incumbrancers.

- 6. Date possession taken by competent authority.
 - 7. Date possession relinquished.
 - 8. Particulars of claim showing in detail—
 - (a) the items of damage occurring to the land and/or buildings during the period of possession in respect of which compensation is claimed;
 - (b) the amount claimed as equal to the cost of making good each of such items of damage.
- Dated the.....day of....., 19.....
 Signature of claimant.....
 Name and address of advocate (if any).
 Name and address of surveyor (if any).

FORM 3.

THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.....

Notice of Claim by an occupier of land under section 5 (2) in respect of the doing of work on the land and/or buildings.

- 1. Name of claimant.
Address.
Business or description.
 - 2. Situation and precise description of the property.
 - 3. Nature of interest.
If owner-occupier, state date of last known letting and give short particulars thereof.
If tenant, state—
 - (a) landlord's name and address;
 - (b) nature of tenancy or lease;
 - (c) date of tenancy or lease and short particulars and any special covenants or circumstances;
 - (d) how determinable and term unexpired;
 - (e) rent payable;
 - (f) who is responsible for—
 - (i) rates;
 - (ii) repairs;
 - (iii) insurance;
 - (iv) other expenses or outgoings, if any.
 - 4. Particulars of mortgages, charges or other incumbrances, stating names and addresses of mortgagees, chargees or incumbrancers.
 - 5. Particulars of work done on the land and/or buildings.
 - 6. Particulars of claim showing the amount calculated in respect of—
 - (a) the annual value of the land and/or buildings if the work had not been done;
 - (b) the diminution of the annual value of the land and/or buildings ascribable to the doing of the work.
- Dated the.....day of....., 19.....
 Signature of claimant.....
 Name and address of advocate (if any).
 Name and address of surveyor (if any).

FORM 4.

THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.....

Notice of Claim under section 5 (4) in respect of the depreciation in value of an estate or interest in land by the doing of work on the land and/or buildings.

- 1. Name of claimant.
Address.
Business or description.
 - 2. Situation and precise description of the property.
 - 3. Nature of estate or interest of the claimant.
 - 4. Particulars of mortgages, charges or incumbrances on that estate or interest, stating the names and addresses of mortgagees, chargees or incumbrancers.
 - 5. Particulars of work done on the land and/or buildings.
 - 6. Particulars of claim showing—
 - (a) how the value of the estate or interest has depreciated by the doing of the work;
 - (b) the amount of such depreciation.
- Dated the.....day of....., 19.....
 Signature of claimant.....
 Name and address of advocate (if any).

FORM 5.
THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.

Notice of Claim under paragraphs (a), (b), (c), (d) and (e) of sub-section (1) of section 6 in respect of the requisition of a vessel.

1. Name of claimant.
Address.
Business or description.
 2. Nature of claimant's interest in the vessel; if claiming under charter, give particulars.
 3. Name and address of owner, if other than claimant.
 4. Description of vessel requisitioned stating—
 - (a) name;
 - (b) official number, if any;
 - (c) where registered;
 - (d) registered tonnage;
 - (e) type and build;
 - (f) year when built.
 5. Date and reference number of requisition by competent authority.
 6. Particulars of any mortgage, lien or other similar obligation to which the vessel was subject, stating the names and addresses of the persons entitled thereto.
 7. Particulars of claim under section 6 (1) :—
 - (i) under paragraph (a);
 - (ii) under paragraph (b);
 - (iii) under paragraph (c) stating date of damage;
 - (iv) under paragraph (d) stating date of occurrence of damage causing loss;
 - (v) under paragraph (e) giving particulars of directions.
- Dated the.....day of....., 19.....
 Signature of claimant.....
 Name and address of advocate (if any).

FORM 6.
THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.

Notice of Claim under section 6 in respect of the acquisition of a vessel.

1. Name of claimant.
Address.
2. Name and address of person (if any) authorized to act on behalf of the claimant.
3. Description of vessel acquired stating—
 - (a) name;
 - (b) official number, if any;
 - (c) where registered;
 - (d) registered tonnage;
 - (e) type and build;
 - (f) year when built.
4. Date and reference number of requisition by competent authority.
5. Date of notice of acquisition or sale by competent authority and reference number.
6. Date of purchase by claimant and price paid by him; if acquired otherwise than by purchase, state particulars.
7. Particulars of any mortgage, lien or similar obligation to which the vessel was subject, stating names and addresses of the persons entitled thereto.
8. Particulars of claim.
Dated the.....day of....., 19.....
Signature of claimant.....
Name and address of advocate (if any).

FORM 7.
THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.

Notice of Claim under paragraphs (a), (b), (c), (d) and (e) of sub-section (1) of section 6 in respect of the requisition of an aircraft.

1. Name of claimant.
Address.
Business or description.
2. Nature of claimant's interest in the aircraft.
3. Name and address of owner, if other than claimant.
4. Description of aircraft requisitioned, giving—
 - (a) make and type;
 - (b) registered mark;
 - (c) constructor's serial number;
 - (d) age and condition at date of requisition;
 - (e) date and number of certificate of airworthiness (if any).
5. Date and reference number of requisition by competent authority.

6. If aircraft is in claimant's possession under a hire-purchase agreement, is apportionment claimed under section 15 and to what amount ?
7. Particulars of any mortgage, lien or other similar obligation to which the aircraft was subject, stating the names and addresses of the persons entitled thereto.
8. Particulars of claim showing separately the amounts, if any, claimed under paragraphs (a), (b), (c), (d) and (e) of sub-section (1) of section 6 and showing, in the case of a claim under paragraph (c) or (d), whether damage in consequence of war operations is included.

Dated the.....day of....., 19.....

Signature of claimant.....

Name and address of advocate (if any).

FORM 8.

THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.....

Notice of Claim under section 6 in respect of the acquisition of an aircraft.

1. Name of claimant.
Address.
Business or description.
2. Nature of claimant's interest in the aircraft.
3. Name and address of owner, if other than claimant.
4. Description of aircraft acquired, giving—
(a) make and type ;
(b) registered mark ;
(c) constructor serial number ;
(d) age and condition at date of acquisition ;
(e) date and number of certificate of airworthiness (if any).
5. Date and reference number of requisition by competent authority.
6. Date of notice of acquisition or sale by competent authority and reference number.
7. Date of purchase by claimant and price paid by him ; if required otherwise than by purchase, state particulars.
8. Particulars of any mortgage, lien or similar obligation to which the aircraft was subject, stating the names and addresses of the persons entitled thereto.
9. If aircraft is in claimant's possession under a hire-purchase agreement, is apportionment claimed under section 15 and to what amount ?
10. Particulars of claim.
Dated the.....day of....., 19.....
Signature of claimant.....
Name and address of advocate (if any).

FORM 9.

THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.....

Notice of Claim under section 6 in respect of the requisition of a vehicle.

1. Name of claimant.
Address.
Business or description.
2. Nature of claimant's interest in the vehicle.
3. Name and address of owner, if other than claimant.
4. Description of vehicle requisitioned showing—
(a) index mark and registration number ;
(b) make ;
(c) unladen weight ;
(d) date of first registration.
5. Date of requisition by competent authority.
6. If vehicle is in claimant's possession under a hire-purchase agreement, is apportionment of compensation claimed under section 15 and to what amount?
7. Particulars of claim showing separately the amounts, if any, claimed under paragraphs (a), (b), (c), (d) and (e) of sub-section (1) of section 6 and showing, in the case of a claim under paragraph (c) or (d), whether damage in consequence of war operations is included.
Dated the.....day of....., 19.....
Signature of claimant.....
Name and address of advocate (if any).
Name and address of surveyor (if any).

FORM 10.

THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.....

Notice of Claim under section 6 (7) in respect of the acquisition of a vehicle.

1. Name of claimant.
Address.
Business or description.

2. Nature of claimant's interest in the vehicle.
3. Name and address of owner, if other than claimant.
4. Description of vehicle acquired showing—
 - (a) index mark and registration number;
 - (b) make;
 - (c) unladen weight;
 - (d) date of first registration.
5. If previously requisitioned, serial number of requisition.
6. Date of acquisition by competent authority.
7. Date of acquisition by the claimant and price paid by him.
8. If vehicle is in claimant's possession under a hire-purchase agreement, is apportionment claimed under section 15 and to what amount?
9. Particulars of claim.

Dated the.....day of....., 19.....

Signature of claimant.....

Name and address of advocate (if any).

FORM 11.

THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.....

Notice of Claim under section 7 in respect of the requisition of space or accommodation in a ship.

1. Name of claimant.

Address.

Business or description.
2. Nature of claimant's interest in the ship; if claiming under charter give particulars.
3. Name and address of owner of ship, if other than claimant.
4. Description of ship in which space or accommodation was required, stating—
 - (a) name;
 - (b) official number.
5. Nature and extent of the space or accommodation required by competent authority.
6. Journey or journeys for which space or accommodation was required.
7. Date and reference number or requirement by competent authority.
8. Particulars of any mortgage, lien or similar obligation to which the ship was subject, stating the names and addresses of the persons entitled thereto.
9. Particulars of claim under section 7 (1) :—
 - (i) under paragraph (a);
 - (ii) under paragraph (b) giving particulars of directions.

Dated the.....day of....., 19.....

Signature of claimant.....

Name and address of advocate (if any).

FORM 12.

THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.....

Notice of Claim under section 7 in respect of the requisition of space or accommodation in an aircraft.

1. Name of claimant.

Address.

Business or description.
2. Nature of claimant's interest in the aircraft.
3. Name and address of owner, if other than claimant.
4. Description of aircraft in which space or accommodation was required, stating official number.
5. Nature and extent of the space or accommodation required by competent authority.
6. Journey or journeys for which space or accommodation was required.
7. Date and reference number of requirement by competent authority.
8. If the aircraft is in claimant's possession under a hire-purchase agreement, is apportionment claimed under section 15 and to what extent?
9. Particulars of any mortgage, lien or similar obligation to which the aircraft was subject, stating the names and addresses of the persons entitled thereto.
10. Particulars of claim showing separately the amounts, if any, claimed under paragraphs (a) and (b) of sub-section (1) of section 7.

Dated the.....day of....., 19.....

Signature of claimant.....

Name and address of advocate (if any).

FORM 13.

THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.

Notice of Claim under section 8 in respect of the requisition or acquisition of goods.

1. Name of claimant.
Address.
Business or description.
2. Description of goods requisitioned or acquired. (If required by the competent authority items to be set in an annexed Schedule arranged in such categories as the authority may require.)
3. Premises in which goods were situate at the date of requisition or acquisition.
4. Nature of claimant's interest in the goods.
5. Name and address of owner, if other than claimant.
6. Date of requisition or acquisition by competent authority.
7. Condition of goods at the time of requisition or acquisition if not specified in a Schedule.
8. If goods are in claimant's possession under a hire-purchase agreement, is apportionment claimed under section 15 and to what amount?
9. Particulars of claim showing—
 - (a) any particulars required for the purposes of section 8 (2);
 - (b) the total amount of compensation claimed in respect of the requisition or acquisition of the goods giving details of how the amount is made up unless details are given in a Schedule;
 - (c) the amount of any claim made in respect of expenses reasonably incurred for the purpose of compliance with any directions given on behalf of His Majesty or the Government in connection with the requisition or acquisition.

Dated the.....day of....., 19.....

Signature of claimant.....

Name and address of advocate (if any).

Name and address of surveyor (if any).

FORM 14.

THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.

Notice of Claim under section 8 in respect of the requisition or acquisition of a vessel under construction.

1. Name of claimant.
Address.
Business or description.
2. Nature of claimant's interest in the vessel.
3. Name and address of owner, if other than claimant.
4. Description of vessel requisitioned or acquired giving—
 - (a) name and address of builders;
 - (b) where vessel is being built;
 - (c) yard number;
 - (d) estimated registered tonnage;
 - (e) type and build;
 - (f) date of laying keel and estimated date of completion.
5. Particulars of building contract and instalments paid and outstanding at date of requisition or acquisition.
6. Date and reference number of requisition or acquisition by competent authority.
7. Particulars of any mortgage, lien or similar obligation to which the vessel was subject, stating the names and addresses of the persons entitled thereto.
8. Particulars of claim, under section 8 :—
 - (i) under sub-section (1);
 - (ii) under sub-section (3), giving particulars of directions.

Dated the.....day of....., 19.....

Signature of claimant.....

Name and address of advocate (if any).

FORM 15.

THE COMPENSATION (DEFENCE) LAW, 1940.

Requisition No.

Notice of Claim under section 9 in respect of the requisition of services.

1. Name of claimant.
Address.
Business or description.
2. Date and reference number of requisition.
3. Particulars of service performed with dates.
4. Particulars of claim.
Dated the.....day of....., 19.....
- Signature of claimant.....
- Name and address of advocate (if any).

Made at Nicosia, this 18th day of November, 1940.

(M.P. 1271/40.)