
IMMOVABLE PROPERTY (TRANSFER AND
MORTGAGE) ORDINANCE 1966

This is a consolidated version of this legislation i.e. it incorporates all amendments made since the legislation was enacted as set out in the table below. It has been produced by the SBAA as an aid to transparency and easier access to SBA law. However, it is not the official version of SBA legislation and, although every effort has been made to check the document, its accuracy cannot be guaranteed. The official version of legislation is published in the SBA Gazette.

Legislation incorporated in this Consolidation	Ordinance	Date in Force
Immovable Property (Transfer and Mortgage) Ordinance 1966	16/1966	23/12/1966
Immovable Property (Transfer and Mortgage)(Amendment) Ordinance 1970	14/1970	28/08/1970
Immovable Property (Transfer and Mortgage)(Amendment) Ordinance 1978	8/1978	30/10/1978
Immovable Property (Transfer and Mortgage)(Amendment) Ordinance 2012	11/2012	01/07/2012
Criminal Procedure Ordinance 2016	9/2016	01/05/2016

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FORMS

IMMOVABLE PROPERTY (TRANSFER AND
MORTGAGE) ORDINANCE 1966

An Ordinance to amend and consolidate the Ordinance relating to the Transfer and Mortgage of
Immovable Property and the sale of Mortgaged Property

Short title

1. This Ordinance may be cited as the Immovable Property (Transfer and Mortgage) Ordinance, 1966.

PART 1

Preliminary

Interpretation

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

“acceptance”, with its grammatical variations and cognate expressions, means, when used in connection with any declaration of transfer or mortgage, the acceptance of such declaration, under section 8 or 9, by the proper officer of an Area Office or sub-office;

“administrator of property” means an administrator appointed under the provisions of the Convicts’ Property Ordinance (a) or of the Mental Patients Ordinance (b);

“another Area Office”, in connection with any matter relating to immovable property, means the Area Office of the Area other than that in which such immovable property is situate ;

“appropriate Area Office”, in connection with any matter relating to immovable property, means the Area Office of the area in which such immovable property is situate, and “appropriate Area Officer” shall be construed accordingly;

“Area” means an immovable property registration area, as defined in section 39 of the Immovable Property (Tenure, Registration and Valuation) Ordinance (c);

“Area Officer” means the officer in charge of an Area Office;

“assessed value” has, notwithstanding anything in the definition of the word “value” in this subsection contained, the meaning assigned to the word “value” by the definition in the Schedule to the Department of Lands and Surveys (Fees and Charges) Ordinance (d);

“Chief Officer” means the Chief Officer, Sovereign Base Areas;

~~“court” means the Judge’s Court; (e)~~

“court” means the Resident Judge’s Court;

“custodian” means a custodian of enemy property appointed under the provisions of the Trading with the Enemy Ordinance(f);

“encumbrance” has the meaning assigned to it by section 12;

“guardian” means a guardian under the provisions of the Guardianship of Infants and Prodigals Ordinance(a);

(a) Cap. 282, Laws of Cyprus

(b) Cap. 252, Laws of Cyprus

(c) Cap. 244, Laws of Cyprus, Ordinance 3/1960

(d) Cap. 219, Laws of Cyprus

(e) Definition repealed and replaced by Ordinance 11/2012 – came into force on 01 January 2012

(f) Cap. 99, Laws of Cyprus

“immovable property” has the meaning assigned to such expression by section 2 of the Immovable Property (Tenure, Registration and Valuation) Ordinance**(b)**;

~~“land register” means a land register kept under the provisions of section 51 of the Immovable Property (Tenure, Registration and Valuation) Ordinance; (c)~~

“land register” has the meaning given in section 2 of the Immovable Property (Tenure, Registration and Valuation) Ordinance; (d)

“mortgage”, with its grammatical variations and cognate expressions, means a charge on immovable property voluntarily created by the owner thereof for securing a monetary debt or liability, whether liquidated or future or contingent;

“mortgagee” means a person in whose favour a mortgage is created;

“mortgagor” means an owner of immovable property who creates a mortgage thereon;

“owner” means the person registered as the owner of any immovable property;

“personal representative” has the meaning assigned to such expression by section 2 of the Administration of Estates Ordinance**(e)** and includes an executor or administrator as defined in Section 2 of the Wills and Succession Ordinance**(f)** and a consular officer administering an estate under the provisions of Section 2 of the Consular Convention Ordinance **(g)**;

“prohibition” has the meaning assigned to it by section 12;

“proper officer” means an officer of an Area Office authorized by the Chief Officer to accept declarations of transfer or mortgage;

~~“registered”, with its grammatical variations and cognate expressions, means recorded in the land register; (h)~~

“registered” with its grammatical variations and cognate expressions means recorded in the land register whether such record is in paper form or electronic form, and the date of registration is the date on which the registration was first recorded by either of the two methods;

“Rules of Sale” means the Rules of Sale made under the provisions of section 101 of the Civil Procedure Ordinance **(i)** or any rules amending or substituted for the same;

“sub office” means a sub-office of an Area Office that may be opened for the transaction of business by the public on such days as may from time to time be appointed by the Chief Officer;

“transfer”, with its grammatical variations and cognate expressions, means—

- (a) in relation to any immovable property, the passing of the title to such immovable property from one person to another;
- (b) in relation to any mortgage, the assignment of such mortgage from the mortgagee to another person,

by the voluntary act of such persons;

“transferee” means a person to whom an immovable property or a mortgage, as the case may be, is voluntarily transferred;

(a) Cap. 277, Laws of Cyprus

(b) Cap. 244, Laws of Cyprus, Ordinance 3/1960

(c) Definition repealed and replaced by Ordinance 11/2012 – came into force on 01 January 2012

(d) Cap 224, Statute Laws of Cyprus revised edition 1959, as applied to and adapted in the Areas by the Sovereign Base Areas of Akrotiri and Dhekelia Order in Council 1960 (SI 1960/1369, United Kingdom). Schedule 2 to the Interpretation Ordinance 2012 (Ordinance 8/2012) provides for the interpretation of such legislation. The definition of land register in section 2 is by reference to section 51 of Cap 224. Both sections 2 and 51 were amended by Immovable Property (Tenure, Registration and Valuation) (Amendment) Ordinance 2011 (Ordinance 7/2011)

(e) Cap. 189, Laws of Cyprus

(f) Cap. 195, Laws of Cyprus

(g) Cap. 236, Laws of Cyprus

(h) Definition repealed and replaced by Ordinance 11/2012 – came into force on 01 July 2012

(i) Cap. 6, Laws of Cyprus

“transferor” means an owner who voluntarily transfers an immovable property or a mortgagee who voluntarily transfers a mortgage, as the case may be;

“trustee” means, as the context may require, any trustee under the provisions of the law of trusts for the time being in force and includes a trustee in bankruptcy under the provisions of the Bankruptcy Ordinance(a);

“value” has the meaning assigned to such expression by section 2 of the Immovable Property (Tenure, Registration and Valuation) Ordinance(b).

(2) For the purposes of sections 24,25,26,27, 28, 31, 32, 33, 34,35, 36, 44, 49 and of Part VI,

“mortgagee” and “mortgagor” in sub-section (1) of this section shall, unless the context otherwise requires, be deemed to include the heirs, personal representatives, administrators, guardians and trustees of any such persons and the custodians of the properties of any such persons, and—

(a) in the case of a mortgagee, any person who, by virtue of transfer or transfers of the mortgage as in section 32 provided, is for the time being entitled to receive the amount secured by the mortgage;

(b) in the case of a mortgagor, any person who—

(i) by virtue of transfer or transfers of the immovable property mortgaged, as in section 31 provided; or

(ii) by virtue of purchase of such immovable property at auction subject to the mortgage, as in sub-section (6) of section 41 provided,

is for the time being the owner of such immovable property.

(3) For the purposes of sections 29, 31, 37, 40, 41 and 42, “subsisting mortgage” or “prior mortgage” shall be deemed to include any encumbrance coming under any of items 5, 6, 8 and 10 of Part I of the First Schedule, and “mortgagee” of a subsisting or prior mortgage shall be deemed to refer, in the case of such encumbrance, to the person, authority or body in whose favour such encumbrance operates.

Construction

3.—(1) Wherever in this Ordinance it is provided that any form set out in the Second Schedule shall be used—

(a) such provision shall apply only to forms printed by the authority or with the consent of the Administrator and supplied to the public through Area Offices and sub-offices;

(b) the Chief Officer may authorize such other form to the like effect to be used and such alteration of any form set out in the Second Schedule to be made, as the circumstances of any case may render necessary; and any variation of such other form or altered form from the respective form set out in the Second Schedule, not being in matter of substance, shall not affect its validity or regularity.

(2) Whenever in this Ordinance it is provided that the Chief Officer shall take any action, the Chief Officer may, before taking any such action, require that any fees or charges leviable, in respect thereof, under the provisions of the Department of Lands and Surveys (Fees and Charges) Ordinance(c) or of any Ordinance amending or substituted for the same, shall first be paid.

(a) Cap. 5, Laws of Cyprus

(b) Cap. 224, Laws of Cyprus, Ordinance 3/1960

(c) Cap. 219, Laws of Cyprus

PART 2

General provisions relating to transfer and mortgages

Registered owner may transfer or mortgage immovable property

4.—(1) Subject to the provisions of this Ordinance and of any other Ordinance in force for the time being, the owner of any immovable property may transfer or mortgage such immovable property or any part thereof, being an undivided share therein, to any other person or persons.

(2) The provisions of sub-section (1) shall apply to two or more owners of two or more immovable properties and to two or more co-owners of any immovable property:

Provided that in the case of a mortgage such owners or co-owners shall be deemed to be jointly and severally liable for the payment of the amount secured by such mortgage in the manner specified in the contract of such mortgage or prescribed by the provisions of this Ordinance.

(3) Notwithstanding anything in sub-section (1) contained, where the immovable property of any person has vested in any other person, body or authority by virtue or under the provisions of any Ordinance in force for the time being, the person first aforesaid shall no longer be deemed to be the owner of such immovable property, notwithstanding that such property may continue to be registered in his name in the ~~books of the Area Office~~ *land register*. (a)

Validity of transfers and mortgages of immovable property

5.—(1) No transfer or mortgage of any immovable property shall be valid unless made in accordance with the provisions of this Ordinance.

(2) No attempt to transfer or mortgage any immovable property otherwise than in accordance with the provisions of this Ordinance shall be effectual to create, vary, transfer, extinguish or in any way affect any right or interest in any immovable property.

(3) Nothing in this section contained shall apply to the acquisition of any right, privilege, liberty, easement or advantage whatsoever under the provisions of section 11 of the Immovable Property (Tenure, Registration and Valuation) Ordinance(b) or the transfer thereof under the provisions of sub-section (1) of section 12 of the Ordinance aforesaid.

Transfers and mortgages between companies or partnerships and their members

6.—(1) The provisions of this Ordinance shall apply to any transfer or mortgage of any immovable property between any company and any director or shareholder thereof or between any partnership and any partner thereof; and no transfer or mortgage of such immovable property, whether in consideration for the allotment of any share in a company or as a contribution to a partnership stock or otherwise, shall be valid, unless declared and registered under the provisions of this Ordinance.

(2) In this section, “company” and “partnership” mean a company or other body corporate or a partnership, as the case may be, constituted under the provisions of any Ordinance in force for the time being or, where it has not been so constituted, empowered to acquire immovable property under the provisions of the Corporate Bodies (Immovable Property Registration) Ordinance or of any other Ordinance in force for the time being.

Transferor or mortgagor must be registered

7. No transfer or mortgage of any immovable property shall be made by any person unless he is the owner of such immovable property:

(a) Text deleted and new text inserted by Ordinance 11/2012 – came into force on 01 July 2012

(b) Cap. 224, Laws of Cyprus. Ordinance 3/1960

Provided that, subject to the provisions of this Ordinance, any person in whom any immovable property registered in the name of any other person has, by virtue or under the provisions of any other Ordinance, vested shall, for the purposes of this section, be deemed to be the owner of such immovable property.

PART 3

General provisions relating to declarations of transfer and mortgage

Procedure for declaration of transfer or mortgage

8. Any person desiring to transfer or mortgage, or to accept a transfer or mortgage of, any immovable property shall, together with the person with whom he has agreed upon the proposed transfer or mortgage, present himself at the appropriate Area Office during the hours of business prescribed under the provisions of section 46 and declare such transfer or mortgage before the proper officer of the office hereinbefore mentioned by—

- (a) producing and confirming a signed declaration as in section 18 or 21, as the case may be, provided;
- (b) producing such other documents as are in this Ordinance provided or as may be required by the Chief Officer to be produced in order to give effect to the provisions of this Ordinance and of any other Ordinance in force for the time being; and
- (c) acknowledging his signatures on the declaration and on any schedule, enclosure or other document signed by him,

by declaring that they are his own signatures,

and thereupon the proper officer shall, subject to the provisions of this Ordinance, accept the declaration of such transfer or mortgage by retaining the declaration and other documents hereinbefore mentioned and making a signed record on the declaration of the fact that it has been made before him and accepted by him and of the date on, and the time at, which it has been so made and accepted.

Declarations in another Area or in sub-offices

9. Notwithstanding anything in Section 8 contained, a declaration of transfer or mortgage may be made before the proper officer of a sub-office of the appropriate Area Office or before the proper officer of another Area Office or of a sub-office of such other Area Office on production of an additional copy of such declaration:

Provided that any such declaration shall be made at the risk of the transferee or mortgagee, as the case may be—

- (a) as to the immovable property which is to be transferred or mortgaged thereby not being still registered in the name of the transferor or mortgagor, as the case may be, on the date and at the time such declaration is made, or as to such immovable property being then subject to any encumbrance, or as to the transferor or mortgagor being then prohibited from dealing with his property;
- (b) as to the Chief Officer refusing, in exercise of his discretion under the provisions of section 14 when such declaration is transmitted to the appropriate Area Office, to register such transfer or mortgage, as the case may be.

Declarations by agent

10.—(1) Where a declaration of transfer or mortgage of any immovable property is proposed to be made by any person on behalf of the person desiring to transfer or mortgage, or to accept the transfer or mortgage of, such immovable property, the former person shall, unless empowered under the provisions of any other Ordinance to make such declaration on behalf of the latter

person, be required to prove to the Chief Officer that the person on whose behalf the declaration is made has authorized him by an instrument, duly certified by a competent authority and stamped in accordance with the provisions of any Ordinance in force for the time being, to declare such transfer or mortgage, as the case may be:

Provided that the Chief Officer may—

- (a) if, owing to the length of time which has elapsed since the execution of the instrument or for any other reason, he considers it advisable so to do, require that evidence that the authority thereby given has not been revoked be produced before the declaration is accepted;
- (b) refuse to allow the declaration on the strength of the authority purported to be given by the instrument aforesaid to be made if, in his opinion, there is any defect or ambiguity in the authority given or any doubt relating to the identity of the person who executed the instrument or any doubt as to the authority which certified the execution being the competent authority for certifying such execution in the country where the instrument was executed, until such defect, ambiguity or doubt is remedied or removed, as the case may be, to his satisfaction.

(2) The instrument referred to in sub-section (1) shall, if the declaration is accepted by the Chief Officer, be deposited and kept in the appropriate Area Office:

Provided that—

- (a) if so required, the instrument hereinbefore mentioned may be returned and replaced by a photographic copy thereof certified as a true copy by the Chief Officer;
- (b) if the instrument has already been deposited in another Area Office, a copy thereof, certified as a true copy by the Chief Officer, shall be accepted instead of the original.

(3) For the purposes of this section, “instrument duly certified by a competent authority” means an instrument having affixed, impressed, or subscribed thereon or thereto—

- (a) if executed in the Areas, the seal and signature of a Certifying Officer appointed under, and acting in accordance with, the provisions of the Certifying Officers Ordinance(a) or the seal and signature of the Mukhtar and the signature of an Aza of any village or quarter acting in accordance with the provisions of section 82 of the Immovable Property (Tenure, Registration and Valuation) Ordinance(b);
- (b) if executed in the Republic the seal and signature, or the signature, or the signature only, as the case may be, of the persons, exercising under the provisions of Republican Laws equivalent to the Ordinances set out in paragraph (a) of this sub-section, functions similar to those exercised by the persons set out in the said paragraph under the provisions of the said Ordinances;
- (c) if executed in any country other than the Areas or the Republic, the seal and signature of any of the persons referred to in paragraph (a)(i) and (b), respectively, of section 17 of the Evidence Ordinance(c),

as the case may be.

Declarations on behalf of persons under disability

11. Where any person is under any disability or incapacity or otherwise prohibited from administering his affairs and property under the provisions of any Ordinance in force for the time being (hereinafter in this section referred to as a “disabled person”), any transfer or mortgage of immovable property to which he is a party may be declared on his behalf by his guardian or his administrator or trustee or the custodian of his property, as the case may be, and on production, to the satisfaction of the Chief Officer, of the documents issued out by a Court or other authority

(a) Cap. 39, Laws of Cyprus
(b) Cap. 224, Laws of Cyprus. Ordinance 3/1960
(c) Cap. 9, Laws of Cyprus

empowered to issue such documents under the provisions of any Ordinance in force for the time being—

- (a) appointing the guardian, administrator, trustee or custodian, as the case may be:

Provided that no such document shall be required to be produced by a guardian under the provisions of paragraph (a) or (b) of section 6 of the Guardianship of Infants and Prodigals Ordinance(a); and

- (b) authorizing the proposed declaration of transfer or mortgage:

Provided that no such document shall be required to be produced—

- (i) where the guardian, administrator, trustee or custodian is, under the provisions of any Ordinance in force for the time being, empowered to make such declaration on behalf of the disabled person without the authority hereinbefore mentioned ; or
- (ii) where such declaration relates to the transfer or mortgage of any immovable property to a disabled person either without any consideration or for a consideration stated in writing by the guardian, administrator, trustee or custodian not to have been paid or given out of any money or other property belonging to the disabled person, as the case may be.

Transfers and mortgages affected by encumbrances and prohibitions

12.—(1) Save as provided in section 29 or 31, where any immovable property is subject to any encumbrance or the owner thereof is under prohibition—

- (a) no declaration of transfer or mortgage of such immovable property shall be accepted in the appropriate Area Office;
- (b) no declaration of transfer or mortgage of such immovable property shall be accepted in another Area Office or in a sub-office where the subsistence of such encumbrance or prohibition is known by the respective proper officer of such other Area Office or sub-office, as the case may be;
- (c) no transfer or mortgage of such immovable property declared in another Area Office or in a sub-office without the subsistence of such encumbrance or prohibition being known to the respective proper officer shall be registered in the appropriate Area Office.

(2) Where two or more immovable properties are included in the same declaration of transfer or mortgage and any of such immovable properties is subject to an encumbrance, the provisions of paragraph (c) of sub-section (1) shall apply to the said declaration in its entirety, notwithstanding that any of the other immovable properties therein may not be subject to such or to any other encumbrance:

Provided that, in respect of any such other immovable property which may not be subject to an encumbrance, the transfer or mortgage may, with the consent of both parties to the declaration, be registered subject to such alteration of the consideration or other terms, if any, as may be agreed upon by them.

(3) Where two declarations of transfer are desired to be made at the same time in order to give effect to an agreement for the exchange of immovable properties between two persons, the immovable properties included in the one declaration being the whole or part of the consideration for the transfer of the immovable properties included in the other declaration, and any of the immovable properties in either of the declarations aforesaid is subject to an encumbrance, the provisions of paragraph (c) of sub-section (1) shall, notwithstanding that any other immovable properties in the same or in the other declaration may not be subject to any encumbrance, apply to both such declarations.

(4) Where two declarations of transfer are desired to be made at the same time in order to give effect to an agreement for the exchange of immovable properties between two persons, the immovable properties included in the one declaration being the whole or part of the consideration

(a) Cap. 277, Laws of Cyprus

for the transfer of the immovable properties included in the other declaration, and either of such person is under a prohibition, the provisions of paragraph (c) of sub-section (1) shall apply to both such declarations, notwithstanding that the other person may not be under any prohibition.

(5) In this section—

- (a) “encumbrance” means a claim, lien or liability attached to immovable property under the provisions of any Ordinance in force for the time being;
- (b) “prohibition” means the forbidding, prevention or interdiction of any person from transferring or mortgaging all or any of his immovable property under the provisions of any Ordinance in force for the time being.

(6) Without prejudice to the generality of sub-section (5) and subject to the provisions of sub-section (7), it is hereby declared that the encumbrances and prohibitions specified in Part I and II, respectively, of the First Schedule constitute encumbrances and prohibitions within the meaning of this section: ~~and, notwithstanding anything to the contrary contained in, or implied by, section 7 of the Sale of Land (Specific Performance) Ordinance, the deposit of a contract for the sale of immovable property in accordance with the provisions of the Ordinance aforesaid shall operate as an encumbrance with respect to such immovable property from the date of its deposit at the Area Office until—~~

- ~~(a) the expiration of two months from the date on which the contract was made, if no action to compel specific performance of the contract is instituted within this period; or~~
- ~~(b) the issue of a judgment of the Court in an action instituted within the period referred to in paragraph (a) of this sub-section, where the Court refuses to order specific performance of the contract; or~~
- ~~(c) the expiration of three months from the date of an order directing specific performance of the contract under the provisions of the Ordinance aforesaid, if the person in whose favour such order has been made neglects or fails to apply for the transfer of the immovable property aforesaid to his name and to do all acts and things necessary to enable such transfer to be made,~~

~~as the case may be: (a)~~

Provided that the Administrator may, by order in the Gazette make such amendment or alteration of, deletion from, or addition to, the First Schedule as may be necessary in order to give effect to the provisions of any Ordinance in force for the time being.

(7) Nothing in this section shall—

- (a) shall constitute an encumbrance or prohibition, unless the same has been notified to, or any document relating thereto has been declared, registered, produced or lodged, as the case may be, at the appropriate Area Office, all formalities required by any Ordinance or regulation have been complied with and all fees and charges payable in respect of the acceptance or registration thereof have been paid;
- (b) affect the powers of any person authorized, under the provisions of any Ordinance in force for the time being, to transfer or mortgage immovable property owned by a person under prohibition.

Transfer of immovable property which is subject to an encumbrance, etc., in certain cases (b)

12A.—(1) Notwithstanding the provisions of this Ordinance, the owner of any immovable property which is subject to an encumbrance or is affected by an interim order of the Court prohibiting him from alienating such property may transfer it by a declaration of sale and by depositing the proceeds of sale with the appropriate Area Office, which shall accept such declaration as long as the sale price referred to in the declaration is not less than the amount fixed by the Court as reflecting the market value of the immovable property and as

(a) Text deleted by Ordinance 14/1970 – came into force on 28 August 1970

(b) Section 12A inserted by Ordinance 8/1978 – came into force on 30 October 1978

long as the appropriate Area Office has not received a notice in writing to the effect that an appeal has been filed against the decision of the Court fixing the market value.

(2) Upon the filing of an originating summons by the owner of the immovable property served upon those in whose benefit the encumbrance or interim order referred to in sub-section (1) of this Section exists, the Court shall determine the market value of the immovable property.

(3) Any interested person may, not earlier than four months from the date on which the decision of the Court was issued, apply to the Court for reconsideration of the market value of the immovable property as determined by the Court.

(4) The applicant shall give written notice to the appropriate Area Office in respect of the filing of such application and the appropriate Area Office shall not accept any declaration of sale in respect of the immovable property referred to in the application until the issue of a decision on such application.

(5) The proceeds of sale deposited at the appropriate Area Office under sub-section (1) of this Section shall be disposed of in order of priority amongst the persons for whose benefit the encumbrance on the immovable property exists.

Questions and further evidence regarding declarations

13.—(1) Where a declaration of transfer or mortgage is proposed to be made in the appropriate or another Area Office or in a sub-office or where such declaration has been accepted in another Area Office or in a sub-office the Chief Officer may, before exercising the discretionary powers conferred upon him by section 14, ask the parties of such declaration or any of them to answer, orally or in writing, any questions he may reasonably deem necessary to ask, including questions relating to—

- (a) the identity and nationality of the parties;
- (b) the capacity of the parties to contract under the provisions of any Ordinance in force for the time being and the capacity of the persons presenting themselves at the Area Office or sub-office to make the declaration;
- (c) the continuance or otherwise of the authority of a person to declare the proposed transfer or mortgage on behalf of another person;
- (d) the ability of any of the parties to the proposed declaration to understand the proposed transaction;
- (e) the existence, identity, nature, condition, area or quantity of the immovable property proposed to be transferred or mortgaged;
- (f) the ownership or possession of the immovable property proposed to be transferred or mortgaged;
- (g) any interest connected with the immovable property proposed to be transferred or mortgaged and belonging to either of the parties to the proposed declaration or to any other person;
- (h) the existence of any condition, term, covenant or agreement not disclosed in the declaration or other documents produced;
- (i) the amount of any consideration and, in the case of a transfer, the date on which the same was agreed upon; and
- (j) in the case of a transfer, the existence of any agreement for the re-transfer to the transferor of the immovable property proposed to be transferred on any payment or on the occurrence of any event.

(2) The Chief Officer may, instead of, or in addition to, asking any of the parties to the proposed declaration to answer any question referred to in sub-section (1), require the production of an affidavit or affirmation or of such further evidence on any of the matters to which such question relates as to him may seem necessary.

(3) Where the Chief Officer has any doubt with respect to any of the matters in paragraphs (e), (f) and (g) of sub-section (1) or with respect to any information or evidence supplied by the parties to a proposed declaration in relation thereto, the Chief Officer may require that a local enquiry be held with respect to the same by an officer of the Administration at the expense of the owner of the property, before the declaration is accepted.

(4) The Chief Officer may allow a transfer or mortgage of any immovable property to be declared before the holding of a local enquiry, as provided in sub-section (3), provided that the fees and charges leviable, under the provisions of any Ordinance in force for the time being, in respect of the holding of such enquiry shall be paid at the same time as the fees and charges leviable thereunder in respect of the registration of the title to the immovable property transferred or of the registration of the mortgage, as the case may be.

(5) Notwithstanding anything in this Ordinance contained, the Chief Officer may direct, at any time after a declaration of transfer or mortgage has been accepted and before registration of such transfer or mortgage has been effected, that a local enquiry into the immovable property declared to have been transferred or mortgaged be held by an officer of the Administration; and if the Chief Officer so directs, the fees and charges leviable under the provisions of any Ordinance in force for the time being, for the holding of such enquiry shall, for the purposes of any such Ordinance, be deemed to be a balance of the fee or charge leviable for the performance of a service on the application or at the request of the transferee or mortgagor, as the case may be.

Discretionary powers of the Chief Officer

14. The Chief Officer may refuse to allow the proper officer of an Area Office or sub-office to accept any declaration of transfer or mortgage or, where any such declaration has been made in another Area Office or sub-office, the Chief Officer may refuse to register such transfer or mortgage in any of the following circumstances, that is to say—

- (a) where from any information, evidence or statement supplied, produced or made in answer to any requirement of the Chief Officer under section 13 or from the findings of any local enquiry held at the requirement of the Chief Officer under sub-section (3) of the section aforesaid—
 - (i) the Chief Officer has any doubt with respect to any of the matters referred to in paragraph (a),(b),(c) and (d) of sub-section (1) of the section aforesaid;
 - (ii) it appears to the Chief Officer that in any material particular the immovable property proposed to be transferred or mortgaged and the ownership thereof are not as described in the land register;
 - (iii) in the case of a proposed transfer of immovable property, the Chief Officer is satisfied that there is an agreement for the re-transfer to the transferor of such immovable property on any payment or on the occurrence of any event or that there is any other agreement, condition, term or covenant inconsistent or incompatible with the nature of the transfer;
- (b) where any of the provisions of this Ordinance is not complied with; or
- (c) where the proposed transfer or mortgage would contravene or frustrate the provisions of any other Ordinance in force for the time being.

Payment of fees

15.—(1) Where any declaration of transfer or mortgage has been accepted, all fees and charges leviable, under the provisions of any Ordinance in force for the time being, on the registration of such transfer or mortgage shall be paid, at the Area Office or sub-office in which such declaration has been accepted, on the day on which such declaration has been accepted ; and if the said fees and charges are not *so* paid on the day aforesaid, the declaration shall be deemed to be null and void:

Provided that the provisions of this section shall not apply to any fee or charge or part thereof ascertained to be leviable after the day on which such declaration has been accepted.

(2) Where payment of the fees and charges referred to in subsection (1) is made by a cheque drawn on a Bank operating in the Island of Cyprus but, on presentation for payment, is not honoured, such fees and charges shall be deemed not to have been paid on the day on which the declaration has been accepted.

Registration of transfer or mortgage

16.—(1) Subject to the provisions of sections 24 and 25 of the Immovable Property (Tenure, Registration and Valuation) Ordinance^(a) and of sections 14 and 15 of this Ordinance, the Chief Officer shall register any transfer or mortgage of immovable property declared under the provisions of this Ordinance and accepted by the proper officer.

(2) Registration of a transfer shall be effected by registering the transferee as the owner of the immovable property thereby transferred.

(3) Registration of a mortgage shall be effected by registering such mortgage against the registration of the immovable property mortgaged and making a note relating to the mortgage on the certificate of registration of the immovable property aforesaid.

(4) When registration of a transfer or mortgage has been effected, the Chief Officer shall issue—

- (a) to a transferee, the certificate of the registration in his name of the immovable property transferred;
- (b) to a mortgagee, the certificate of the registration of the mortgage in his name endorsed on the contract and declaration of mortgage, and accompanied by the certificate of registration, in the name of the mortgagor, of the immovable property mortgaged;
- (c) to a mortgagor, a copy of the certificate of the registration of the mortgage endorsed on the contract and declaration of mortgage, as the case may be.

(5) Where a local enquiry into any immovable property is to be held after the acceptance of the declaration of a transfer or mortgage, as in sub-section (4) or (5) respectively of section 13 provided, the provisions of this section shall apply notwithstanding that the findings of such enquiry shall not be available:

Provided that when the local enquiry aforesaid has been held, the Chief Officer may make a new edition of the registration of such immovable property and cause to be altered or amended any registration made or any certificate issued therefor under the provisions of this section:

Provided that no such new edition, alteration or amendment shall be made, unless thirty days' previous notice is given by the Chief Officer to any person who might be affected thereby; and any such person may, within the said period of thirty days of the date of the giving of such notice, lodge an objection with the Chief Officer who shall thereupon investigate the same and give notice of his decision thereon to the objector.

Simultaneous declarations of transfer and mortgage

17. Where it is desired to declare a transfer of any immovable property and a mortgage of such immovable property by the transferee to the transferor or to any other person in order to secure the whole or any part of the consideration or for any other reason, the Chief Officer may allow the declaration of such transfer and the declaration of such mortgage to be made simultaneously in the appropriate Area Office, in order to give effect to any condition on which the transfer and mortgage have been agreed; and, subject to the provisions of section 15 being complied with, the two declarations shall be deemed to have been made at, and to have taken effect from, the time at which the declaration of transfer has been made.

(a) Cap. 224, Laws of Cyprus. Ordinance 3/1960

PART 4

Provisions relating to transfers

Declarations by transferor and transferee and documents to be produced

18.—(1) The written declaration required to be produced at the Area Office by the transferor and transferee of any immovable property shall contain the particulars following, that is to say—

- (a) a description of the immovable property proposed to be transferred by reference to its situation, the number and date of registration, the assessed value and the share or interest desired to be transferred;
- (b) a statement on whether or not there is any change in the condition of the immovable property proposed to be transferred as described in the registration therefor and on the nature of any such change and a statement on whether or not there is any subsisting tenancy of such immovable property;
- (c) in the case of the transferor, a statement that he is the person appearing as the owner of such immovable property and that on a date to be stated he agreed to transfer such immovable property to the person named as transferee either *gratis* or for a specified consideration:

Provided that where two or more immovable properties are included in one declaration of transfer on payment of a consideration, the consideration for each of such immovable properties shall be separately stated;

- (d) in the case of the transferee, a statement that he has agreed to accept the transfer of such immovable property on the terms stated in the statement of the transferor;
- (e) a statement that there is no agreement for the re-transfer to the transferor of such immovable property on any payment or on the occurrence of any event;
- (f) a statement confirming that the parties know each other and giving particulars of any relationship existing between them; and
- (g) a statement that the parties desire that the immovable property be registered in the name of the transferee.

(2) The written declaration referred to in sub-section (1) shall be in the form A set out in the Second Schedule.

(3) The other documents required to be produced at the Area Office at the time at which the declaration is made shall be—

- (a) the certificate of registration of the immovable property proposed to be transferred; and
- (b) official receipts showing that all taxes, rates, charges, duties and fees payable on or before the date on which the declaration is made with respect to such immovable property have been paid:

Provided that this paragraph shall apply only to such taxes, rates, charges, duties and fees as may, under the provisions of any Ordinance in force for the time being, be made a charge on immovable property or be recoverable by seizure and sale of immovable property, whether steps have or have not been taken for making them a charge on the immovable property proposed to be transferred or for seizing and selling such immovable property.

Effect of transfer and date of passing of title

19. Subject to the provisions of sections 22, 23, 24, 25 and 56 of the Immovable Property (Tenure, Registration and Valuation) Ordinance, the acceptance of a declaration of transfer of any immovable property shall operate to pass to the transferee, as from the date and time of the acceptance of such declaration, the title to such immovable property and to all immovable property connected therewith to which the transferor was entitled on the date and at the time hereinbefore mentioned :

Provided that where—

- (a) the fees and charges leviable, under the provisions of any Ordinance in force for the time being, on the registration of the title to the immovable property transferred are not paid immediately after the declaration; or
- (b) the declaration having been made in another Area Office or in a sub-office, the registration of the transfer is at the discretion of the Chief Officer under the provisions of section 14,

the passing of the title to the immovable property declared to be transferred shall be conditional upon such fees and charges being paid as prescribed by section 15 or upon the Chief Officer deciding, in the exercise of his discretion under section 14, to register the transfer, as the case may be:

Provided that if such fees and charges are paid as aforesaid or the Chief Officer decides to register the transfer, as the case may be, the title to the immovable property declared to be transferred shall be deemed to have passed to the transferee on the date and at the time when the declaration of the transfer was accepted.

Implied condition on the part of the transferor

20. In every declaration of transfer of immovable property there shall be implied a condition that the transferor has a right to transfer such immovable property and that such immovable property shall be quietly entered upon, received, held, occupied, enjoyed and taken, and the benefit thereof shall be received by the transferee without any interruption or disturbance by or on behalf of the transferor.

PART 5

Provisions relating to mortgages

Declarations by mortgagor and mortgagee and documents to be produced

21.—(1) The written declarations required to be produced at the Area Office by the mortgagor and mortgagee of any immovable property shall contain the particulars following, that is to say—

- (a) a description of the immovable property proposed to be mortgaged by reference to its situation, the number and date of registration and the share or interest desired to be mortgaged;
- (b) a statement on whether or not there is any change in the condition of the immovable property proposed to be mortgaged as described in the registration therefor and on the nature of any such change and a statement on whether or not there is any subsisting tenancy of such immovable property;
- (c) in the case of the mortgagor, a contract of mortgage, stamped in accordance with the provisions of any Ordinance in force for the time being, setting forth that on demand or on a date, whether specified or ascertainable, he is bound to pay to the mortgagee, whether on a contingency or not, a sum of money, whether specified or ascertainable, together with interest, if any, thereon or on any part thereof, at a rate specified or ascertainable by reference to any other rate and, in the event of legal proceedings for the recovery of the said sum and interest, the costs and expenses thereof:

Provided that where any mortgage is made to secure any future or contingent liability, current account, the maximum amount of the possible liability shall be specified and such amount shall be deemed to be the amount in security whereof the mortgage is made;

- (d) in the case of the mortgagor, a statement that he is the person appearing as the owner of such immovable property and that he has agreed to mortgage such immovable property to the person named as mortgagee;

- (e) in the case of the mortgagee, a statement that he has agreed to accept the mortgage of such immovable property on the terms stated in the contract of mortgage and the statement of the mortgagor;
- (f) a statement that the parties know each other; and
- (g) a statement that the parties desire that the mortgage aforesaid be registered.

(2) The written declarations referred to in sub-section (1) shall be in the form B set out in the Second Schedule.

(3) The other documents required to be produced at the Area Office at the time at which the declaration is made shall be—

- (a) the certificate of registration of the immovable property proposed to be mortgaged; and
- (b) two copies of the declarations set out in sub-section (1).

Mortgages may secure existing, future or contingent liabilities. Guaranties

22.—(1) A mortgage may be made to secure the payment of an existing or a future or a contingent liability, including a liability in respect of money to be advanced by instalments or the balance due on a current account.

(2) Where any mortgage is made to secure a future or contingent liability or advances to be made from time to time or the balance due on a current account, the whole amount for the time being due under the mortgage shall have priority, as in sections 23 and 30 provided, as from the date on which the immovable property is charged therewith under the provisions of section 23 aforesaid.

(3) The payment of any amount secured by a mortgage may be guaranteed by any person.

Effect of mortgage

23.—(1) Where a declaration of mortgage of any immovable property has been accepted, such immovable property shall, during the subsistence of such mortgage, be charged with the payment of the amount secured thereby, in priority to all other debts and obligations of the mortgagor or of the owner thereof for the time being, other than a debt secured by any previous mortgage or any previous declaration of mortgage of such immovable property or any charge which, under the provisions of any Ordinance in force for the time being, has priority over all other charges and encumbrances:

Provided that where—

- (a) the fees and charges leviable, under the provisions of any Ordinance in force for the time being, on the registration of the mortgage are not paid immediately after the declaration; or
- (b) the declaration having been made in another Area Office or in a sub-office, the registration of the mortgage is at the discretion of the Chief Officer under the provisions of section 14,

the charging of the immovable property declared to be mortgaged with the payment of the amount secured by the mortgage shall be conditional upon such fees and charges being paid as prescribed by section 15 or upon the Chief Officer deciding, in the exercise of his discretion under section 14, to register the mortgage, as the case may be:

Provided that if such fees and charges are paid as aforesaid or the Chief Officer decides to register the mortgage, as the case may be, the immovable property declared to be mortgaged shall be deemed to have been charged with the payment of the amount secured by the mortgage with effect from the date and the time when the declaration of the mortgage was accepted.

(2) Subject to the provisions of sub-section (3) of section 10 of the Agricultural Debtors Relief Ordinance, 1962 (a), the immovable property aforesaid shall remain charged as in sub-section (1) until—

- (a) such immovable property is released from the mortgage in the manner provided in section 34; or
- (b) the mortgage is discharged in the manner provided in section 35; or
- (c) the mortgage is cancelled in the manner provided in section 36; or
- (d) such immovable property is sold by auction whether under the provisions of the Agricultural Debtors Relief Ordinance, 1962(b), or of the Civil Procedure Ordinance or, subject to the provisions of sub-section (6) of section 41, under the provisions of Part VI; or
- (e) such immovable property is acquired compulsorily by any person, body or authority, under the provisions of any Ordinance in force for the time being; or
- (f) the amount secured by the mortgage is satisfied from the proceeds of the sale, under any of the Ordinances referred to in paragraph (d), of any other immovable property included in the same mortgage.

Implied condition and covenants on the part of the mortgagor

24. In every mortgage of immovable property there shall be implied a condition that the mortgagor has a right to mortgage such immovable property and, unless there is an express condition to the contrary in the contract of mortgage, a covenant by the mortgagor to the mortgagee binding the mortgagor—

- (a) to pay all rates, taxes and other outgoings in respect of the immovable property mortgaged;
- (b) to repair and keep in repair all buildings or other improvements erected or made upon the immovable property mortgaged and not to demolish or damage any such buildings without the consent of the mortgagee:

Provided that nothing in this paragraph shall be interpreted to mean that the mortgagor shall be bound to make any repair that will bring such buildings or other improvements to a condition better than the condition in which they were on the date on which the mortgage has been declared;

- (c) to continue to maintain and cultivate any agricultural land included in the immovable property mortgaged in a proper manner and in accordance with the methods of good husbandry and not to cut any trees thereon otherwise than in the ordinary course of good husbandry or with the consent of the mortgagee;
- (d) to permit the mortgagee or his agent, at all reasonable times during the subsistence of the mortgage and upon his giving reasonable notice to the mortgagor, to enter into and upon the immovable property mortgaged and examine the condition and state of repair, maintenance or cultivation, as the case may be, of such immovable property.

Rights of the mortgagee

25. During the subsistence of any mortgage of immovable property, the mortgagee shall, as against the mortgagor, have the right to demand and keep the certificate of registration of such immovable property and, where insurance against loss of, or damage to, such property is effected or to be effected by the mortgagor, to demand and keep the policy of insurance and the receipts for the payment of the premiums in respect thereof.

(a) Ordinance 10/1962
(b) Ordinance 10/1962

Power of mortgagee to protect immovable property mortgaged

26. During the subsistence of any mortgage of immovable property, the mortgagee shall have concurrent and equal powers with the mortgagor for the purposes of taking any action, whether by civil or criminal process, against any person for the protection of such immovable property against destruction or damage.

Default in payment of instalments or interest

27.—(1) Where a contract of mortgage provides that the amount secured by the mortgage shall be repaid by instalments payable on such dates as may be specified therein and default is made in the payment of any such instalment on the date on which it is due, the whole amount secured by the mortgage shall, unless the contrary is expressly provided in the contract, be payable in full on the date last aforesaid.

(2) Where a contract of mortgage provides that the interest on any amount secured by the mortgage shall be payable at regular intervals before the date specified for the payment of such amount and default is made in the payment of any such interest on the date on which it is due, the whole amount secured by the mortgage shall, unless the contrary is expressly provided in the contract, be payable in full on the date last aforesaid.

Substitution of registrations in mortgages

28. It shall be lawful for the Chief Officer to effect a new registration or registrations for the whole or part of any immovable property which is charged with the payment of any amount secured by a mortgage and to substitute in the mortgage the registration or registrations so effected for the previous registration for the immovable property aforesaid—

- (a) where it is necessary so to do in order to give effect to the provisions of any Ordinance in force for the time being; or
- (b) where the mortgagor and the mortgagee and any guarantor of the mortgagor consent in writing to such action:

Provided that in every such case the certificate of any such new registration effected shall be delivered to the mortgagee and the certificate relating to the previous registration returned to the Chief Officer.

Subsequent mortgages

29.—(1) The owner of any immovable property charged with the payment of the amount secured by a mortgage may, notwithstanding the subsistence of such mortgage, effect a subsequent mortgage or subsequent mortgages on the immovable property aforesaid under the provisions of this Ordinance; and the provisions of this Ordinance shall, *mutatis mutandis*, apply to any such subsequent mortgage as they apply to a first mortgage:

Provided that —

- (a) where the declaration of any subsequent mortgage is proposed to be made in the appropriate Area Office, the proposed mortgagee shall, before the declaration is accepted, prepare and sign a statement that he has taken notice of the subsisting mortgage and of all particulars thereof:
- (b) where the declaration of any such subsequent mortgage is made in another Area Office or in a sub-office, the person to whom such immovable property has been declared to be mortgaged shall, before the Chief Officer decides in exercise of his discretionary powers under section 14 to register the mortgage, sign a statement as in paragraph (a) of this proviso.

(2) No subsequent mortgage as in sub-section (1) shall be made, unless the immovable property mortgaged includes—

- (a) all immovable property included in any subsisting mortgage on the same immovable property; and
- (b) no other immovable property.

Priorities of mortgages

30. Two or more mortgages on the same immovable property shall as between themselves rank according to the order in which they have been declared at the Area Office or sub-office under the provisions of this Ordinance.

Transfer of immovable property subject to mortgage and liability of the transferee

31.—(1) Subject to the provisions of this section, the owner of any immovable property charged with the payment of any amount secured by a mortgage may, notwithstanding the subsistence of such mortgage and unless the contrary is expressly provided in the contract of such mortgage, transfer the immovable property aforesaid under the provisions of this Ordinance:

Provided that—

- (a) where the declaration of such transfer is proposed to be made in the appropriate Area Office, the proposed transferee shall, before the declaration is accepted, prepare and sign a statement that he has taken notice of the subsisting mortgage and of all particulars thereof;
- (b) where the declaration of such transfer is made in another Area Office or in a sub-office, the transferee shall, before the Chief Officer decides in exercise of his discretionary powers under section 14 to register the transfer, prepare and sign a statement as in paragraph (a) of this proviso;
- (c) when the requirements of paragraph (a) or (b), as the case may be, have been complied with, the Chief Officer shall notify the mortgagee that the immovable property aforesaid has been transferred and shall supply the name and address of the transferee stated in the declaration:

Provided that any fees and charges leviable, under the provisions of any Ordinance in force for the time being, for the giving of such notice by the Chief Officer shall be paid by the transferee as soon as the requirements of paragraph (a) or (b), as the case may be, are complied with.

~~(2) No transfer as in sub-section (1) shall be made unless all the immovable property of the transferor which is subject to the subsisting mortgage aforesaid is included in such transfer. (a)~~

(2) If there is clause in a mortgage contract which prohibits or restricts the transfer of ownership of a mortgaged property, both the mortgagee and the guarantors of the contract must give written consent to the transfer, following which the property may be transferred subject to the mortgage.

(3) No transfer of any immovable property mortgaged before the date of the coming into operation of this Ordinance shall be made under the provisions of sub-section (1), unless and until either—

- (a) the written consent, to the proposed transfer, of the mortgagee and of any guarantor of the mortgagor, signed before the proper officer or certified by a competent authority as defined in sub-section (3) of section 10, be produced; or
- (b) where the mortgagee's or any guarantor's written consent referred to in paragraph (a) cannot be obtained or is unreasonably withheld, the Court orders, on the application of the mortgagor, that the transfer be accepted without the production of such consent:

Provided that no order for the acceptance of any transfer shall be made by the Court under this paragraph, unless reasonable notice of the mortgagor's application has been

(a) Section 13(2) repealed and replaced by Ordinance 11/2012 – came into force on 01 July 2012

given to the mortgagee and to any guarantor of the mortgagor, calling upon him or them to show cause why such order should not be made.

(4) In every transfer of immovable property charged with the payment of any amount secured by a mortgage, made under the provisions of sub-section (1), there shall be implied a covenant by the transferee to the transferor to keep the transferor indemnified against the amount secured by the mortgage and from and against all liability in respect of any of the covenants therein contained or implied on the part of the transferor:

Provided that in the case of a mortgage securing a future or a contingent liability relating to advances to be made from time to time or to the balance on any current account, nothing in this sub-section contained shall apply to any advance or payment made by the mortgagee after the service of the notice of the Chief Officer referred to in paragraph (c) of sub-section (1).

(5) The provisions of sub-section (1) shall not apply to the transfer by sale of any immovable property in respect of which the provisions of section 24 or 25 of the Immovable Property (Tenure, Registration and Valuation) Ordinance (a) apply, unless, before the acceptance of the declaration of such transfer, the transferor satisfies the Chief Officer as in paragraph (a) of sub-section (1) of section 24 or of section 25, as the case may be, of the Ordinance aforesaid.

(6) Where any immovable property charged with the payment of any amount secured by a mortgage is transferred under this section and the fees leviable upon the transfer are to be reckoned, in accordance with the provisions of any Ordinance in force for the time being, on the assessed value of such immovable property, such fees shall be reckoned on the whole assessed value of the immovable property aforesaid, without any regard to the fact that the value of the property transferred may have been affected by the fact that it is charged with the payment of the amount secured by the mortgage aforesaid.

Transfer of mortgage

32.—(1) The mortgage of any immovable property may unless the contrary is expressly provided in the contract of the mortgage, transfer, in accordance with the provisions of this section, the mortgage subsisting in his favour to any other person; and, subject as hereinafter provided, the provisions of section 5,6,8,9,10,11,12,13,14 and 15, shall, *mutatis mutandis*, apply to a transfer of mortgage as they apply to a transfer of immovable property:

Provided that the provisions of this sub-section shall not apply to any mortgage declared before the date of the coming into operation of this Ordinance, unless and until the written consent, to the proposed transfer, of the mortgagor and of any guarantor thereof, signed before the proper officer or certified by a competent authority as defined in sub-section (3) of section 10, be produced.

(2) The written declarations required to be produced at the Area Office by the transferor and transferee of any mortgage shall contain the particulars following, that is to say—

- (a) in the case of the transferor, a statement that—
 - (i) he is the person appearing as the mortgagee of the subsisting mortgage;
 - (ii) the amount secured by the mortgage or such part thereof as may be specified in the statement remains unpaid on the date of transfer; and
 - (iii) he has agreed to transfer the subsisting mortgage to the person named as transferee;
- (b) in the case of the transferee, a statement that he has agreed to accept the transfer of the mortgage specified in the statement of the transferor;
- (c) a statement confirming that the parties know each other and giving particulars of any relationship existing between them; and
- (d) a statement that the parties desire that the transfer declared be registered.

(3) The written declaration referred to in sub-section (2) shall be in the form C set out in the Second Schedule.

(a) Cap. 224, Laws of Cyprus. Ordinance 3/1960

(4) The other documents required to be produced at the Area Office at the time of the declaration shall be all those documents which, when the mortgage was registered, were delivered to the transferor under the provisions of section 16.

(5) The acceptance of a declaration of transfer of any mortgage shall operate to pass to the transferee, as from the date and time of such declaration, all rights, duties, powers and privileges of the transferor under the contract of the mortgage or by implication under the provisions of this Ordinance.

Provided that where:—

- (a) the fees and charges leviable, under the provisions of any Ordinance in force for the time being, on the registration of the transfer of the mortgage are not paid immediately after the declaration; or
- (b) the declaration having been made in another Area Office or in sub-office the registration of the transfer is at the discretion of the Chief Officer under the provision section 14,

the passing of the rights, duties, powers and privileges hereinbefore mentioned shall be conditional upon such fees and charges being paid as prescribed by section 15 or upon the Chief Officer deciding, in the exercise of his discretion under section 14, to register the transfer, as the case may be:

Provided that if such fees and charges are paid as aforesaid or the Chief Officer decides to register the transfer, as the case may be, the rights, duties powers and privileges aforesaid shall be deemed to have passed to the transferee on the date and at the time when the declaration of the transfer was accepted.

(6) Registration of the transfer of any mortgage shall be effected by an endorsement on the certificate of such mortgage and on any copy thereof.

(7) When a transfer of any mortgage has been registered as in sub-section (6), the Chief Officer shall—

- (a) issue to the transferee the certificate of such mortgage, endorsed as in the sub-section aforesaid and accompanied by the documents referred to in sub-section (4);
- (b) notify the mortgagor and the mortgagee of any subsequent mortgage on the same immovable property that the mortgage has been transferred and supply the name and address of the transferee stated in the declaration:

Provided that any fees and charges leviable, under the provisions of any Ordinance in force for the time being, for the giving of such notice by the Chief Officer shall be paid by the transferee together with the fees and charges payable on the registration of the transfer.

(8) Any transfer of mortgage made under this section shall not in any way affect the priority of the mortgage transferred as between such mortgage and any other encumbrance on the same immovable property.

(9) No statement made under paragraph (a) (ii) of sub-section (2) shall be binding on the mortgagor.

Payments in partial satisfaction of mortgage

33.—(1) Subject to the provisions of sub-section (2), a mortgagee may, if he so wishes, accept payment of an amount less than the amount secured by the mortgage (hereinafter in this section and in section 34 referred to as “part-payment”), in partial satisfaction of the amount last aforesaid—

- (a) whether before or after the date specified for the payment of the amount secured by the mortgage; and
- (b) whether in consideration for the release from such mortgage of the whole or any part of, or any share in, any immovable property charged with the payment of the amount secured by such mortgage or otherwise.

(2) If any question arises on whether any part-payment made by a mortgagor to the mortgagee is in respect of the principal sum or the interest secured by the mortgage, such payment shall, unless the contrary is expressed in writing, be presumed to be made in satisfaction of any interest due and payable at the date of payment and, if there is any surplus after such satisfaction, in partial satisfaction of the principal sum or of any part thereof remaining unpaid at the date aforesaid.

Release of immovable property from mortgage

34.—(1) Subject to the provisions of sub-section (4), any share in immovable property which is less than the mortgagor's interest in such immovable property included in a mortgage or, where two or more immovable properties are included in a mortgage, any of such immovable properties, may at any time be released from the mortgage by the mortgagee, whether in consideration of a part payment made by the mortgagor or otherwise:

Provided that the written consent of the mortgagor and of any guarantor thereof to such release shall be produced to the proper officer together with the memorandum prescribed by sub-section(3).

(2) For the avoidance of any doubt, it is hereby declared that where two or more persons are jointly and severally liable for the payment of any amount secured by a mortgage, as in the proviso to sub-section (2) of section 4 provided, the proviso to sub-section (1) shall apply to all such persons, notwithstanding that the immovable property desired to be released from the mortgage may belong to only one of them.

(3) Release of an immovable property from a mortgage as in sub-section (1) shall be effected by the mortgagor and mortgagee presenting themselves together at an Area Office or sub-office and producing to the proper officer thereof a memorandum in the form D set out in the Second Schedule, requesting the release of such immovable property from the mortgage, the certificate of the mortgage, the certificate of registration of the immovable property proposed to be released and the written consent of any guarantor: and upon the production and deposit of such memorandum and certificates and, where applicable, of the consent aforesaid, the Chief Officer shall, if satisfied that the persons signing and producing such memorandum at the Area Office or sub-office are the persons respectively appearing as mortgagor and mortgagee give effect to the release by—

- (a) deleting the note relating to the mortgage from against the registration of the immovable property aforesaid in the ~~books of the Area Office~~ *land register*: (a)
- (b) endorsing the certificate of mortgage to show that the immovable property aforesaid has been released from such mortgage and deleting the note relating to the mortgage on the certificate of registration of the immovable property aforesaid;
- (c) returning the certificate of mortgage to the mortgagee; and
- (d) returning the certificate of the registration of the immovable property aforesaid to the mortgagor or, where a share in immovable property, being less than the mortgagor's interest in such immovable property included in the mortgage, has been released, to the mortgagee.

(4) The provisions of this section shall not apply to any immovable property which is charged with the payment of any amounts secured by two or more mortgages, unless action as provided in sub-section (3) is taken at the same time for the release of the immovable property aforesaid from all such mortgages.

Discharge of mortgage by the mortgagee

35.—(1) Where the liability secured by a mortgage has been satisfied or has ceased to exist, it shall be the duty of the mortgagee to cause the mortgage to be discharged by presenting himself at an Area Office or sub-office and producing all documents supplied to him in relation to the mortgage under the provisions of section 16 or 32, as the case may be, together with a

(a) Text deleted and new text inserted by Ordinance 11/2012 – came into force on 01 July 2012

memorandum in the Form E set out in the Second Schedule, requesting the discharge of the mortgage; and upon the production and deposit of such memorandum at the Area office or sub-office is the person appearing as mortgagee, give effect to the discharge by deleting the note relating to the mortgage from against the registration of the immovable property charged with the payment of the amount thereby secured and from the certificate of registration of the immovable property aforesaid, and returning such certificate to the mortgagor.

(2) Where any immovable property charged with the payment of an amount secured by a mortgage discharged under the provisions of sub-section (1) is also charged with the payment of any amount secured by another mortgage, which is subsequent to the mortgage discharged as aforesaid, and Chief Officer shall give notice of the discharge to the mortgagee of any such other mortgage.

Cancellation of mortgage by the Court

36.—(1) In any of the following circumstances, that is to say—

- (a) where the mortgagee refuses or neglects to discharge the mortgage as in section 35, although the liability secured thereby has been satisfied or has ceased to exist; or
- (b) where the mortgagee refuses to accept payment of the amount secured by the mortgage, after such amount has become payable, and to discharge the mortgage; or
- (c) where the mortgagee is of unknown residence, or is a company or partnership which is no longer in existence, or has died and his personal representative or heirs are unknown, and in any of the cases hereinbefore mentioned either the liability secured by the mortgage has been satisfied or has ceased to exist, or the mortgagor is for any of the reason aforesaid unable to pay the amount secured by the mortgage, after such amount has become payable, to the person entitled thereto,

the mortgagor may apply to the Court for an order cancelling the mortgage, and upon such application the Court may make such order as to the giving of notice of the application to any person, the cancellation of the mortgage, the deposit of any money into the Court, the disposal of any money so deposited and any other matter related thereto as the Court may deem just.

(2) Where an order for the cancellation of a mortgage has been made as in sub-section (1), the Chief Officer shall, on production to him of a certified copy of such order, give such effect thereto and give such notice to any subsequent mortgagee of the immovable property charged with the payment of the amount secured by the mortgage ordered to be cancelled as if such mortgage had been discharged by the mortgagee under the provisions of section 35.

PART 6

Sale of mortgaged property

Sale of mortgaged property in default of payment

37.—(1) Where default is made in the payment of any amount secured by a mortgage for a period of one month or more from the date on which it has become payable in accordance with the terms of such mortgage or the provisions of this Ordinance, as the case may be, the mortgagee may serve on the mortgagor a statement of account and a notice in writing calling upon him to pay the amount due, as specified in the statement aforesaid, and informing him that, if further default is made in the payment thereof for a period of one month from the date of the service of such notice, application shall be made to the Chief Officer for the sale of the immovable property charged with the payment of the amount secured by the mortgage in satisfaction of the amount aforesaid.

(2) If the mortgagor fails to comply with the notice served upon him under the provisions of sub-section (1) within the period prescribed thereby, the mortgagee may apply to the Chief Officer for a sale of the immovable property aforesaid, adducing sworn evidence of the facts that the amount specified in the statement aforesaid has become payable, that the provisions of the sub-

section aforesaid have been complied with and that the amount aforesaid or some part thereof remains unpaid.

(3) Where any immovable property which is the subject of an application under the provisions of this section is charged with the payment of any amount secured by another mortgage, whether prior or subsequent to the one in satisfaction of which such application is made, the Chief Officer shall, on receipt of such application, give notice thereof to the mortgagee of any such other mortgage and shall call upon the mortgagee of any subsequent mortgage to furnish to the Chief Officer, within one month, sworn evidence of the amount secured by the mortgage aforesaid and of the amount for the time being payable thereunder:

Provided that all fees and charges leviable, under the provisions of any Ordinance in force for the time being, for the giving of such notice by the Chief Officer shall be prepaid by the mortgagee apply for the sale and be then deemed to be expenses properly incurred by him in relation to the legal proceedings taken for the recovery of the amount secured by the mortgage in his favour.

(4) Where the provisions of the preceding sub-sections have been complied with to his satisfaction, the Chief Officer may, subject to the provisions of the Limitation of Actions Ordinance^(a) and of sections 39, 40, 41 and 51 of this Ordinance, cause the immovable property charged with the payment of the amount secured by the mortgage to be sold as in this Ordinance provided.

Forms of notice to mortgagor and of application for sale

38.—(1) The notice required to be served by the mortgagee on the mortgagor under the provisions of sub-section (1) of section 37 shall be in the form F set out in the Second Schedule.

(2) The application required to be made by the mortgagee to the Chief Officer under the provisions of sub-section (2) of section 37 shall be in the form G set out in the Second Schedule and shall be sworn, in accordance with the Rules of Court for the time being in force relating to affidavits in civil cases, not earlier than seven days before the application for the sale is received at the Area Office.

Chief Officer's discretion in respect of sale

39. If on the evidence supplied in or together with any application for sale of immovable property charged with the payment of any amount secured by a mortgage the Chief Officer considers that the notice to pay the amount aforesaid has not come to the knowledge of the mortgagor, or that owing to his absence from the Island of Cyprus or for any other reason he has not had sufficient time to comply with such notice within the period thereby prescribed, or that further particulars and evidence relating to any of the matters referred to in section 37 should be furnished, the sale of the immovable property aforesaid may, at the Chief Officer's discretion, be—

- (a) refused; or
- (b) deferred for a specified time; or
- (c) deferred until further particulars and evidence, as aforesaid, be furnished,

as to the Chief Officer may seem just.

Amount to be raised by sale

40.—(1) Where the Chief Officer decides to cause a sale to be made under the provisions of this Part, the Chief Officer shall specify the amount to be raised by such sale, which shall include the following amounts, that is to say by sale.

(a) Cap. 15, Laws of Cyprus

- (a) the amount of any fee, tax, rate or duty which, under the provisions of any Ordinance in force for the time being, is a first charge on the immovable property proposed to be sold, in priority to any other charge thereon;
- (b) the amount referred to in any order of the Court issued under the provisions of section 41 in respect of the amount secured by any mortgage prior to the mortgage in satisfaction of which the application for the sale has been made;
- (c) the principal sum or any part thereof due and any interest payable, up to the date of the proposed sale, under the terms of the mortgage in favour of the mortgagee who has applied for such sale or under the provisions of this Ordinance and any costs or expenses which, in the opinion of the Chief Officer, have been properly incurred by the mortgagee aforesaid in relation to any legal proceedings for the recovery of the amount secured by such mortgage, as established by the sworn evidence furnished to the Chief Officer in the affidavit of the mortgagee or in a further affidavit of the mortgagee required by the Chief Officer (a) under the provisions of sections 37, 38 and 39.

(2) Before fixing the date of any sale under this Part, the Chief Officer shall give thirty days' notice—

- (a) of his decision to cause such sale to be made to the mortgagor and the mortgagees of all mortgages securing amounts with the payment of which the immovable property proposed to be sold is charged; and
- (b) of the amount specified by him, under the provisions of paragraph (c) of sub-section (1), to the mortgagor ~~and to the mortgagee who has applied for such sale.~~ (b)

Sale of immovable property charged by prior mortgage

41.—(1) Where any immovable property which is the subject of an application under the provisions of section 37 is charged with the payment of any amount secured by a mortgage prior to the mortgage in satisfaction of which the application aforesaid is made (hereinafter in this section referred to as the “prior mortgage”) and the whole amount so secured by such prior mortgage has become payable, the mortgagor or any mortgagee, other than the mortgagee of the prior mortgage aforesaid, may, within thirty days of the date of the service upon him of the Chief Officer’s notice under paragraph (a) of sub-section (2) of section 40, apply to the Court for a declaration that the immovable property aforesaid may be put up for sale freed from such prior mortgage.

(2) Upon an application being made as provided in sub-section (1) and upon the giving of notice thereof to such person or persons as the Court may direct, the Court may, if it thinks fit, by order direct that, within fifteen days of the date of such order, the applicant shall pay into Court, or otherwise secure to the satisfaction of the Court the payment of such amount as, in the opinion of the Court, shall be sufficient to satisfy any amount secured by, and due under, such prior mortgage.

(3) Upon payment into Court by the applicant or upon his otherwise securing the payment of the amount specified in the order referred to in sub-section (2), the Court shall declare that the immovable property aforesaid may be put up for sale freed from the prior mortgage; and the Court shall further order that the amount which has been paid into Court or of which payment has been secured under the sub-section aforesaid, as the case may be, shall be paid to the mortgagee of the prior mortgage at such time and on such conditions as the Court may think fit:

Provided that no such payment shall be ordered by the Court to be made before the immovable property aforesaid is sold under the provisions of this Part.

(4) On production of a certified copy of the declaration referred to in sub-section (3), the Chief Officer shall, subject to the provisions of sections 39 and 51, put the immovable property aforesaid up for sale, freed from the prior mortgage to which such declaration relates.

(a) Text deleted and new text inserted by Ordinance 11/2012 – came into force on 01 July 2012

(b) Text deleted by Ordinance 11/2012 – came into force on 01 July 2012

(5) Where any application is made to the Court for a declaration under the provisions of this section—

- (a) the applicant for such declaration shall furnish to the Chief Officer a certified copy of the application;
- (b) when the application has been decided upon by the Court the Registrar of the Court shall notify in writing the Chief Officer whether the declaration applied for has been granted or refused, as the case may be; and where the declaration has been granted, the Registrar shall furnish the Chief Officer with a certified copy of such declaration;
- (c) on receipt of a certified copy of the application, as in paragraph (a) of this section provided, the Chief Officer shall, notwithstanding anything in any other section of this Ordinance contained, suspend any action which he might take under the provisions of this Part of this Ordinance, until he is notified by the Registrar of the Court as in paragraph (b) of this sub-section:

Provided that nothing in this paragraph shall apply to any case in respect of which the certified copy of the application is received by the Chief Officer after the issue of the notices of sale provided by rule 3 of the Rules of Sale(a).

(6) If no certified copy of a declaration as in sub-section (4) is produced, the Chief Officer shall, subject to the provisions of sections 39 and 51, put the immovable property aforesaid up for sale subject to the prior mortgage and shall, by a note on the notices of such sale provided by rule 3 of the Rules of Sale, bring the fact that the immovable property aforesaid shall be sold subject to the prior mortgage to the knowledge of any bidder at the sale, who shall thereupon be deemed to have taken notice of such fact and of all particulars of the prior mortgage; and upon the immovable property being sold as aforesaid, the provisions of paragraph (c) of the proviso to sub-section (1) of section 31 and of sub-section (4) aforesaid shall, *mutatis mutandis*, apply as if such immovable property had been transferred subject to the prior mortgage under the provisions of the section hereinbefore mentioned:

Provided that nothing in the sub-section shall apply—

- (a) to any prior mortgage declared before the date of the coming into operation of this Ordinance, unless and until the written consent of the prior mortgagee and of any guarantor of the mortgagor to the proposed sale be produced to the Chief Officer; or
- (b) to any prior mortgage securing any amount with the payment of which two or more immovable properties are charged, unless and until—
 - (i) all such immovable properties be, notwithstanding anything contained in the Rules of Sale, put up for sale and sold together as one lot at the sale aforesaid; and
 - (ii) the prior written consent to the sale, as in sub-paragraph (a) of this paragraph, of the mortgagor and any guarantor thereof and of all mortgagees and other secured creditors of the mortgagor with respect to the immovable properties aforesaid, other than the prior mortgagee, be produced to the Chief Officer.

Manner of sale and application of proceeds thereof

42.—(1) Every sale of immovable property made under this Part shall be made by public auction in accordance with, and subject to, the provisions of the Rules of Sale:

Provided that where such immovable property is charged with the payment of any fee, tax, rate or duty which, under the provisions of any Ordinance in force for the time being, is a first charge on such immovable property in priority to any other charge thereon, the Chief Officer shall, subject to the provisions of the Immovable Property (Restriction of Sales) Ordinance (b), direct that the immovable property aforesaid shall not be sold unless the amount bid for it is, after deduction of the auctioneer's fee and of any charges or expenses of the sale, not less than a reserve

(a) S.L. II,p109-115 (Cyprus)
(b) Cap. 223, Laws of Cyprus

price which shall be equal to the amount of the fee, tax, rate or duty, as the case may be, with the payment of which such immovable property is charged.

(2) The Area Officer of the Area in which any immovable property sold or proposed to be sold under this Part is situate may apply to the Court for directions for disposing of any question arising or likely to arise in the course of the sale, including any question relating to the application of the proceeds of any such sale in the circumstances set out in the provisos to paragraph (f) of subsection (3); and the provisions of section 31 of the Civil Procedure Ordinance^(a) shall thereupon apply as if the Area Officer were executing a writ of sale of immovable property issued under the provisions of the Ordinance aforesaid.

(3) The proceeds of every sale made under the provisions of this Part shall, to the extent of the amount raised by such sale, be applied as follows and in the order herein below given, that is to say—

- (a) for the fees, charges and other expenses of the sale;
- (b) for the payment of any fee, tax, rate or duty which, under the provisions of any Ordinance in force for the time being, is a first charge on the immovable property sold, in priority to any other charge thereon;
- (c) in satisfaction of any amount specified in an order of the Court issued under the provisions of section 41 and relating to any mortgage prior to the mortgage in favour of the mortgagee who applied for the sale:

Provided that any proceeds of the sale available in satisfaction of such amount shall be paid to the person who has paid into court, or otherwise secured the payment of, the amount aforesaid;

- (d) in satisfaction of the amount secured by the mortgage in favour of the mortgagee who applied for the sale;
- (e) in satisfaction of the amount secured by any mortgage subsequent to the mortgage in favour of the mortgagee who applied for the sale (hereinafter in this section referred to as the “subsequent mortgage”), as determined in accordance with the provisions of subsection (4):

Provided that where there are two or more such subsequent mortgages and the balance of the proceeds of the sale available for them under this paragraph is not sufficient to satisfy the amounts secured by them, such balance shall be applied in satisfaction of the amounts aforesaid in the order of the respective priorities of such mortgage;

- (f) in satisfaction of any claims under judgments registered under the provisions of section 53 of the Civil Procedure Ordinance in the order of the respective priorities of their registration:

Provided that if such process have been realised, wholly, or partly, from the sale of any house, they shall not be applied in satisfaction of any such claims under judgements, unless and until sufficient house accommodation has, in the opinion of the Court, been provided for the mortgagor and his family:

Provided further that if the mortgagor is a farmer and such proceeds have been realized, wholly or partly, from the sale of any land, they shall not be applied in satisfaction of any such claims under judgments in respect of debts incurred after the 2nd of May, 1919, unless and until sufficient land has, in the opinion of the Court, been provided for the mortgagor and his family or unless such debts are due to any Co-operative Society, duly registered as such under the provisions of the Co-operative Societies Ordinance or the Co-operative Societies Law of the Republic;

and if there is any balance of the proceeds of the sale after satisfaction of the liabilities aforesaid, such balance shall be paid to the mortgagor.

(a) Cap. 6, Laws of Cyprus

(4) The amount secured by any subsequent mortgage referred to in paragraph (e) of sub-section (3) shall be determined as follows:—

- (a) where the mortgagee has, in compliance with the notice given by the Chief Officer under the provisions of subsection (3) of section 37, furnished to the Chief Officer evidence of the amount due under the mortgage, the Chief Officer may consider that such amount and any costs or expenses which, in the opinion of the Chief Officer, have been properly incurred by the mortgagee in relation to any legal proceedings for the recovery of the amount secured by such mortgage are due; and the Chief Officer shall thereupon give the mortgagor and the mortgagee a notice in writing of the amount so considered to be due under such mortgage;
- (b) where the mortgagee has failed to furnish the evidence referred to in paragraph (a) of this sub-section, the Chief Officer may consider that the whole amount secured by the mortgage aforesaid, to the extent of the maximum possible amount of a contingent liability or balance on current account secured by such mortgage, and all interest payable under the terms of such mortgage are due and that no costs or expenses in relation to any legal proceedings for the recovery of the amount secured by such mortgage have been incurred by the mortgagee; and the Chief Officer shall thereupon give the mortgagor and the mortgagee notice in writing of the amount so considered to be due under such mortgage,

and no proceeds of the sale shall be applied in satisfaction of such mortgage before the expiration of thirty days from the giving of the notice referred to in paragraph (a) or paragraph (b) of this sub-section, as the case may be.

(5) The amount due under any judgment referred to in paragraph (f) of sub-section (3) shall be determined as follows:—

- (a) the Chief Officer shall, by notice in writing, call upon the judgment creditor who has registered such judgment to furnish to the Chief Officer, within one month, sworn evidence of the amount due under the judgment and of any costs or expenses incurred by him in relation to any proceedings taken for the recovery of the judgment debt;
- (b) where the judgment creditor has complied with the notice given by the Chief Officer under the provisions of paragraph (a), the Chief Officer may consider that the amount stated by the judgment creditor to be due under the judgment and any costs or expenses which, in the opinion of the Chief Officer, have been reasonably incurred by the judgment creditor in relation to any proceedings taken for the recovery of the judgment debt are due; and the Chief Officer shall thereupon give the judgment creditor and the mortgagor notice in writing of the amount so considered to be due;
- (c) where the judgment creditor has failed to comply with the notice given by the Chief Officer under the provisions of paragraph (a), the Chief Officer may consider that the whole amount stated in the judgment, including all interest payable thereunder, and any costs or expenses incurred by the judgment creditor by way of fees and charges paid by him at the Area Office in connection with the registration of the judgment are due; and the Chief Officer shall writing of the amount so considered to be due;

and no proceeds of the sale shall be applied in satisfaction of the amount due under such judgment before the expiration of thirty days from the giving of the notice referred to in paragraph (b) or paragraph (c) of this sub-section, as the case may be.

Proceedings not invalidated by any transfer

43. Subject to the provisions of section 39, where any notice under the provisions of sub-section (1) of section 37 has been served, no transfer of the immovable property concerned under section 31 or of any mortgage under section 32 shall invalidate such proceedings or operate to extend any period prescribed by this Ordinance or specified in any notice given there under or to invalidate, delay or postpone any sale made or proposed to be made under this Part.

Civil action for the sale of mortgaged property

44.—(1) Nothing in this Ordinance contained shall operate to prevent any mortgagee from seeking, by a civil action, the sale of the immovable property mortgaged to him, in satisfaction of the amount secured by the mortgage thereon; and such action may be instituted at any time, either before or after application to the Chief Officer under the provisions of this Part:

Provided that where the Court considers that such proceedings, instead of those provided by this Part, were not reasonably necessary for the attainment of the purpose thereby pursued, the Court may direct that all costs of the action, including the costs of the defendant, be paid by the plaintiff.

(2) Where the sale of mortgaged property in satisfaction of the amount secured by the mortgage is directed by the Court, the following provisions shall have effect, unless the Court otherwise directs:—

- (a) the provisions of sub-section (3) of section 37 shall, *mutatis mutandis*, apply as if the order of the Court had been an application made under sub-section (2) of the section aforesaid;
- (b) the provisions of sections 41 and 42 shall, *mutatis mutandis*, apply as if the Chief Officer had decided to cause a sale to be made under the provisions of this Part, the period of thirty days prescribed by sub-section (1) of section 41 being reckoned as from the date of the Chief Officer's notice given under the provisions of subsection (3) of section 37.

PART 7

Miscellaneous

Regulations

45. The Administrator may make Regulations, published in the Gazette, for the better carrying out of the provisions of this Ordinance.

Hours of business

46. The Chief Officer may, from time to time, by notice published in the Gazette prescribe the hours during which Area Offices and sub-offices shall, on working days, be open to the public for the making of declarations, the creation of encumbrances and any other business under the provisions of this Ordinance and of any other Ordinance in force for the time being.

Notices

47. Any notice or communication required to be given or made by the Chief Officer under the provisions of this Ordinance may be given or made in the manner prescribed by section 75 of the Immovable Property (Tenure, Registration and Valuation) Ordinance(a).

Copies of certificates of registration to enable certain declarations

48. For the purpose of enabling the owner of any immovable property to declare a transfer of such immovable property under the provisions of section 31 or a subsequent mortgage under the provisions of section 29, the Chief Officer may issue a copy of the certificate of registration of such immovable property:

Provided that a note relating to the subsisting mortgage shall be made on such copy:

Provided further that, notwithstanding anything in this Ordinance or in the Immovable Property (Tenure, Registration and Valuation) Ordinance contained, the Chief Officer may recall,

(a) Cap. 224, Laws of Cyprus. Ordinance 3/1960

substitute, retain, cancel or destroy any certificate of registration and any copy thereof issued under the provisions of this section if, in his opinion, it is necessary so to do in order to ensure that—

- (a) no person possesses a certificate of registration or copy thereof unless such person is legally entitled to such possession; and
- (b) no person legally entitled to possess a certificate of registration or copy thereof has in his possession more than one such certificate or copy.

Offences and penalties

49.—(1) Any person who shall knowingly make or cause to be made any false statement in—

- (a) any declaration of transfer or mortgage made under the provisions of this Ordinance;
- (b) any document embodying any information or evidence supplied or produced to the Chief Officer or the proper officer in relation to any such declaration of transfer or mortgage; or
- (c) any affidavit sworn and produced to the Chief Officer as, or in connection with, an application for the sale of immovable property under the provisions of Part VI,

shall be guilty of an offence under this Ordinance and shall be liable on conviction to the same penalty as if he had given false evidence in a judicial proceeding.

(2) Any mortgagor of immovable property who shall do any act, or shall order or wilfully permit any act to be done, whereby such immovable property is destroyed or materially damaged, shall, unless he establishes to the satisfaction of the Court that he acted without any fraudulent intent, be guilty of an offence under this Ordinance and shall be liable on conviction to a fine not exceeding one thousand pounds or to imprisonment for any term not exceeding two years or to both such fine and imprisonment.

Chief Officer's power to amend or cancel registrations

50. Where through any error or omission or any false statement or any personification or misrepresentation, whether innocent or fraudulent, made in connection with any of the matters referred to in this Ordinance, a registration of transfer or mortgage of immovable property or a registration of transfer of mortgage has been effected, the Chief Officer may, after satisfying himself of the true facts, amend or cancel such registration, as the circumstances of the case may require, as if it were a case of error or omission as provided in section 61 of the Immovable Property (Tenure, Registration and Valuation) Ordinance ; and the provisions of the said section shall, *mutatis mutandis*, apply to such amendment or cancellation of a registration in the circumstances aforesaid as they apply to the correction of an error or omission:

Provided that, notwithstanding any false statement or misrepresentation contained in any document or evidence referred to in Part VI, this section shall not operate to enable the Chief Officer to cancel the registration of any immovable property in the name of a *bona fide* purchaser of such immovable property at a sale by auction made under the provisions of the said Part; and if the interests of the person whose immovable property has been so sold have been in any way prejudiced by such false statement or misrepresentation, the remedy of such person shall be in damages only against the person responsible for the false statement or misrepresentation aforesaid.

Appeals

51.—(1) Any person aggrieved by any direction, notice or decision of the Chief Officer made, given or taken under the provisions of this Ordinance, may, within thirty days of the date of the communication to him of such direction, notice or decision, apply to the Court; and thereupon the provisions of sections 80 and 81 of the Immovable Property (Tenure, Registration and Valuation) Ordinance and of the Immovable Property (Tenure, Registration and Valuation) Rules(a) shall,

(a) Gazette Supplement No.3, 5.7.1956 (Cyprus)

mutatis mutandis, apply to such appeal as they apply to an appeal made under the provisions of the said Ordinance:

Provided that the Senior Judge may make Rules for any matter or proceeding had or taken before any Court under the provisions of this Ordinance.

(2) Subject to the provisions of section 44, no Court shall entertain any action or proceeding on any matter in respect of which the Chief Officer is empowered to act under the provisions of this Ordinance, except by way of appeal as prescribed in sub-section(1).

Records

52. The Chief Officer shall keep in his custody and in such manner as he may deem appropriate copies of all certificates of mortgage, whether issued under the provisions of this Ordinance or under the provisions of the Land Transfer Amendment Ordinance(a), and of all certificates of transfer of mortgage issued under the provisions of this Ordinance.

Delegation of functions to the Republic (b)

52A.—(1) *For the purposes of this section—*

(a) *a function includes a power and a duty; and*

(b) *a function placed on an Area Office or a sub-office, or as requiring something to be done at an Area Office or sub-office, is to be treated as a function placed on an Area Officer.*

(2) *Except for the functions specified in sections 44 and 55, the functions placed on the Administrator, the Chief Officer and an Area Officer by this Ordinance are general delegated functions for the purposes of the Delegation of Functions to the Republic Ordinance 2007(c).*

(3) *Anything that is required to be done at an Area Office or a sub-office may be done at the office of a person to whom the functions of an Area Officer are delegated under this section.*

Saving

53.—(1) Subject to the provisions of sections 12 (6), 44 and 51, nothing in this Ordinance contained shall affect the provisions of any other Ordinance in force for the time being where such Ordinance makes specific provision for any of the matters referred to in this Ordinance.

(2) Nothing in this Ordinance contained shall operate to—

(a) make legal, validate or permit any act which is illegal, void or not permissible under the provisions of any other Ordinance in force for the time being; or

(b) dispense with any order, permit, consent, licence, registration, permission or formality required by the provisions of any other Ordinance in force for the time being.

(3) Without prejudice to the generality of sub-sections (1) and (2), it is hereby declared that—

(a) nothing in this Ordinance contained shall operate to affect the provisions of the Contract Ordinance (d) relating to agency, except in so far as express provisions are made in this Ordinance for the proof of the appointment of an agent, the deposit of the instrument appointing such agent and the exercise of the Chief Officer's discretionary powers under the provisions of section 10;

(a) Cap. 228, Laws of Cyprus

(b) Section 52A inserted by Ordinance 11/2012 – came into force on 01 July 2012

(c) Ordinance 17/2007

(d) Cap. 149, Laws of Cyprus

(b) the provisions of Part VI are subject to the overriding provisions of the Agricultural Debtors Relief Ordinance, 1962 (a).

(4) Nothing in this Ordinance contained shall affect the validity and effect of any judgment or order made by any Court for the sale of any immovable property which is subject to a mortgage.

Transitional provisions

54.—(1) Any declaration of transfer or mortgage of any immovable property made under the provisions of the Land Transfer Amendment Ordinance (b) before the coming into operation of this Ordinance shall have the same effect and validity as if it had been made under the provisions of this Ordinance.

(2) Any proceedings taken before the coming into operation of this Ordinance for the sale of any immovable property in satisfaction of a debt secured by a mortgage shall be continued and determined as if this Ordinance had not been enacted.

(3) Any proceedings taken before the coming into operation of this Ordinance under the provisions of the Sale of Mortgaged Property Ordinance(c) shall have effect as if made under the provisions of this Ordinance.

Date of coming into operation and repeals

55. This Ordinance shall come into operation on a date to be appointed by the Administrator by notice published in the Gazette and thereupon the Ordinances set out in the Third Schedule shall, subject to the provisions of section 54, be repealed to the extent therein specified, without prejudice to anything done or left undone under the Ordinances aforesaid.

(a) Ordinance 10/1962
(b) Cap. 228, Laws of Cyprus
(c) Cap. 223, Laws of Cyprus

SCHEDULE 1

(Section 12(6))

PART 1

Encumbrances

* Asterisk denote Laws of Cyprus

1. A mortgage made under the provisions of this Ordinance or of the Land Transfer Amendment Ordinance. Cap. 228*
2. A registration of judgment made under the provisions of section 53 of the Civil Procedure Ordinance. Cap 6*
3. An application for registration of immovable property in a debtor's name made under the provisions of section 63 of the Civil Procedure Ordinance. Cap 6*
4. A writ of sale of immovable property issued under the provisions of section 22 or 97 of the Civil Procedure Ordinance. Cap 6*
5. A registration of a bond relating to a loan made to a member of a Co-operative Society under the provisions of section 6 of the Agricultural Bank (Special Privileges) Law of the Republic. Cap 122*
42 of 1963
6. A registration of a supplementary bond relating to a further loan made to a member of a Co-operative Society under the provisions of section 7 of the Agricultural Bank (Special Privileges) Law of the Republic. Cap 122*
42 of 1963
7. A tendering of immovable property as security to the Administration under the provisions of the Official Security (Immovable Property) Ordinance or to the Government of the Republic under the provisions of the Official Security (Immovable Property) Law of the Republic. Cap 310*
8. A tendering of immovable property as security to the Administration for a Mukhtar-Auctioneer under the provisions of Section 11 (f) of the Village Authorities Ordinance or as security to the Government of the Republic for a Mukhtar-Auctioneer under the provisions of section II (f) of the Village Authorities Law of the Republic. Cap 224*
Ordinance
20 of 1961
9. A deposit of a contract of sale of immovable property under the provisions of the Sale of Land (Specific Performance) Ordinance. Cap 232*
10. A registration of a notification of an advance under the provisions of section 10 of the Citrus Industry Aid Ordinance . Cap 131*
11. A conditional attachment of property made under the provisions of section 5 1 of the Co-operative Societies Ordinance. Cap 114*
28 of 159*
12. An order of Court charging immovable property under the provisions of section 28 of the Mental Patients Ordinance. Cap 252*
13. A warrant for the sale of immovable property issued under the provisions of section 9 of the Tax Collection Ordinance. Ordinance 7
of 1964
14. A warrant of execution of immovable property issued under the provisions of ~~sections 120 or 164 of the Criminal Procedure Ordinance~~ *section 125 of the* Cap 155*

<i>Criminal Procedure Ordinance 2016 (judge may issue warrant of execution or warrant of committal)(a). (b)</i>	Cap 154* Ordinance 11 of 1963
15. An order of the Court directing the re-transfer of immovable property under the provisions of section 182 (2) of the Criminal Code.	Cap 62*
16. An order of the Court setting aside any transfer of immovable property and directing the re-transfer of such property under the provisions of the Fraudulent Transfers Avoidance Ordinance.	Ordinance 6 of 1965
17. A charge relating to estate duty under the provisions of section 29 of .the Estate Duty Ordinance.	Ordinance 6 of 1965
18. A warrant for the sale of immovable property issued under the provisions of section 57 of the Estate Duty Ordinance.	Ordinance 10 of 1962
19. An order attaching immovable property under the provisions of section 10 of the Agricultural Debtors Relief Ordinance.	Ordinance 10 of 1962
20. A writ or order directing the sale of immovable property under the provisions of section 12 of the Agricultural Debtors Relief Ordinance.	Cap 224* 3 of 1960
21. An order directing the payment of compensation under the provisions of section 29 of the Immovable Property (Tenure, Registration and Valuation) Ordinance.	Cap 224* 3 of 1960
22. An application for the estimate of the value of immovable property proposed to be acquired under the provisions of section 33 of the Immovable Property (Tenure, Registration and Valuation) Ordinance.	Cap 224* 3 of 1960
23. A judgment or order of any Court directing the alteration or cancellation of a registration under the provisions of section 65 of the Immovable Property (Tenure, Registration and Valuation) Ordinance.	Cap 96*
24. A publication of the apportionment of the cost of the construction, reconstruction or improvement of a street under the provisions of sub-section (9) of section 17 of the Streets and Buildings Regulation Ordinance.	Cap 224* 3 of 1960
25. A charge on immovable property in respect of registration fee payable under the provisions of section 47 of the Immovable Property (Tenure, Registration and Valuation) Ordinance.	Cap 219*
26. A charge on immovable property under the provisions of section 5 of the Department of Lands and Surveys (Fees and Charges) Ordinance, in respect of any balance of fees or charges leviable under the provisions of the Ordinance aforesaid.	
27. A judgment or order of the Court directing the sale of immovable property in satisfaction of a debt secured by a mortgage.	

(a) Ordinance 9/2016

(b) Text deleted and new text inserted by Ordinance 9/2016 – came into force on 01 May 2016

PART 2

Prohibitions

1. An interim order of the Court restraining a defendant from parting with his immovable property, issued under the provisions of section 5 of the Civil Procedure Ordinance and deposited at the Area Office. Cap 6*
Cap 227*
2. An order of the Court appointing a guardian of a prodigal under the provisions of section 7 of the Guardianship of Infants and Prodigals Ordinance or an order of a Republican Court appointing a guardian of a prodigal under the provisions OF section 7 of the Guardianship of Infants and Prodigals Law of the Republic. Cap 252*
Cap 5*
Cap 5*
3. Adjudication of any person as a mental patient under the provisions of section 6 of the Mental Patients Ordinance or adjudication of any person as a mental patient under the provisions of section 5 of the Mental Patients Law of the Republic. Cap 113*
4. An interim receiving order made under the provisions of the Bankruptcy Ordinance.
5. A receiving order made under the provisions of the Bankruptcy Ordinance.
6. An order for the winding up of a company made under the provisions of the Companies Ordinance.

SECOND SCHEDULE.

(Section 18 (2)).

FORM A.

THE IMMOVABLE PROPERTY (TRANSFER AND MORTGAGE) ORDINANCE, 1966.

Declaration of Transfer of Immovable Property.

I, (a) of
..... (a), declare that I am the registered owner
of the immovable property described in the Schedule herein and
that on (b) I agreed to
transfer the said immovable property to
..... (c) of (c)
as stated in the seventh column of the Schedule herein and I hereby
request that the said immovable property be transferred to him
and registered in his name.

And I, (c) of
..... (c), declare that I agreed as above
to accept the transfer of the immovable property described in the
Schedule herein and I hereby request that the said immovable
property be transferred to me and registered in my name.

And we further declare that there is no agreement for the re-
transfer to the transferor of the immovable property aforesaid on
any payment or on the occurrence of any event, that we know each
other and that the following relationship exists between us :.....
..... (d).

.....
Transferor.

.....
Transferee.

Declared before me in the
 Office by the persons appearing as the above-named transferor
 and transferee, who stated to me that the signatures on this docu-
 ment (including the Schedule herein) are, respectively, their own,
 and accepted by me this
 day of, 19 at
 a.m./p.m.

.....
 (Status of Official before whom
 declaration is made)

- (a) Insert name of transferor in full and his residential address.
- (b) Insert date on which transfer was agreed (whether under any conditions or not).
- (c) Insert name of transferee in full and his residential address.
- (d) State degree of relationship, if any, of transferor to transferee, such as "mother and son", "father and daughter", "brother and sister", "uncle and nephew" and the like; if there is no relationship between them, write "None".

SCHEDULE.

PARTICULARS OF THE IMMOVABLE PROPERTY
 DECLARED TO BE TRANSFERRED.

Village or Quarter	Reg. No. and date	Share or interest transferred	Present condition of the property (a)	Assessed value (mils)	Particulars of subsisting tenancy, if any (b)	Reason for transfer (c)	Remarks

- (a) If the condition of the immovable property differs from that described in the registration, give particulars of the difference ; if the condition is as described in the registration, write "As in the registration".
- (b) Give duration of subsisting tenancy, if any, rent and name of tenant.
- (c) State whether transfer is made *gratis* or for a consideration (to be specified in words and figures) or in exchange for other immovable property (to be specified by reference to another declaration of transfer).

(Section 21 (2)).

FORM B.

THE IMMOVABLE PROPERTY (TRANSFER AND MORTGAGE) ORDINANCE, 1966.

Contract and Declaration of Mortgage.

I, (a) of
..... (a), do hereby covenant with
..... (b) of
..... (b) (hereinafter referred to as "the mortgagee"),
who is personally known to me, that on
..... (c) I will pay to him the sum of £.....
..... mils plus simple/compound (d) interest on
£..... mils at
per centum per annum from the
19....., and, in the event of legal proceedings for the recovery
of the said sum and interest, the costs and expenses thereof :

Provided that
..... (e)

For the better securing of the payment of the said sum, interest
and costs and expenses of legal proceedings in the manner afore-
said, I do hereby declare that I mortgage to the mortgagee afore-
said my interest in the immovable property described in the Schedule
herein, of which I am the registered owner, and I request that this
mortgage of the said immovable property which I now declare be
registered in the Office
in favour of the mortgagee aforesaid.

Executed at this
..... day of 19.....

..... (f)
Mortgagor.

Guaranty (if any) :

.....
.....

.....
Guarantor.

I, (b) of
..... (b), declare that I have agreed to accept
the mortgage of the immovable property described in the Schedule
herein as security for the payment of the sum, interest and costs
and expenses of legal proceedings in the manner stated in the above
declaration of (a) of ..
..... (a) who is personally known
to me, and I request that the mortgage on the said immovable
property hereby declared be registered in the Area Office in my
favour.

.....
Mortgagee.

Declared, before me in the
Office, by the persons appearing as the above named mortgagor and
mortgagee, who stated to me that the signatures on this document
(including the Schedule herein) are, respectively, their own, and
accepted by me this day of
....., 19, at
..... a.m./p.m.

.....
(Status of Official before whom
declaration is made)

Registered under Mortgage No.
....., 19

.....
Chief Officer.

In Form B in Schedule 2, for reference to the "AREA OFFICE" substitute "LAND REGISTER"

This amendment inserted by Ordinance 11/2012 – came into force on 01 July 2012

-
- (a) Insert name of mortgagor in full and his residential address.
 - (b) Insert name of mortgagee in full and his residential address.
 - (c) Insert date of payment; if the debt is payable on demand, write "demand". If payment depends upon a contingency, give particulars thereof.
 - (d) Strike out whichever is inapplicable.
 - (e) Insert any other conditions relating to the amount due, interest or manner of payment, e.g. fluctuation of debt on current account, fluctuation of interest, or advance or payment by instalments; if the space is not sufficient for such additional conditions, give reference to additional sheet on which they may be written, provided it is signed by the mortgagor.
 - (f) Affix stamp duty chargeable under the provisions of the Stamp Ordinance.

Ordinance
13 of 1964.

SCHEDULE.

PARTICULARS OF THE IMMOVABLE PROPERTY
DECLARED TO BE MORTGAGED.

Village or Quarter	Registration No. and Date	Share or interest mortgaged	Present condition of the property (a)	Particulars of subsisting tenancy, if any (b)	Remarks

- (a) If the condition of the immovable property differs from that described in the registration, give particulars of the difference; if the condition is as described in the registration, write "As in the registration".
 - (b) Give duration of subsisting tenancy, if any, rent and name of tenant.
-

(Section 32).

FORM C.

THE IMMOVABLE PROPERTY (TRANSFER AND MORTGAGE) ORDINANCE, 1966

Declaration of Transfer of Mortgage.

I, (a) of
..... (a), declare that I am the mortgagee
of mortgage No. dated the
..... 19, that the
following amount secured by the mortgage still remains unpaid,
that is to say
..... (b), and that I have agreed to
transfer my interest in the said mortgage to(c)
of (c) [(gratis/in
consideration for (d)]
and I hereby request that the said mortgage be transferred to him.

And I, (c) of
..... (c), declare that I have agreed to accept
the transfer of the above mortgage and I hereby request that the
said mortgage be transferred to me and registered in my favour.

And we further declare that we know each other and that the
following relationship exists between us :
..... (e).

.....
Transferor.

.....
Transferee.

Declared before me in the Office, by the persons appearing
as the above-named transferor and transferee, who stated to me
that the signatures on this document are, respectively, their own,

and accepted by me this day of
..... 19, at
..... a.m./p.m.

.....
(Status of Official before whom
declaration is made)

-
- (a) Insert name of transferor in full and his residential address.
 - (b) State part of principal sum (and interest, if any) remaining unpaid or write "the whole", as the case may be.
 - (c) Insert name of transferee in full and his residential address.
 - (d) If it is desired to record this information on the form, strike out whichever is inapplicable and, where the transfer is made for a consideration, insert the amount thereof. If it is not desired to record this information on the form, strike out the whole passage in brackets.
 - (e) State degree of relationship, if any, of transferor to transferee, such as "father and daughter", "mother and son", "brother and sister", "uncle and nephew", and the like ; if there is no relationship between them, write "None".

(SECTION 34).

FORM D.

THE IMMOVABLE PROPERTY (TRANSFER AND
MORTGAGE) ORDINANCE, 1966.
MEMORANDUM
FOR RELEASE OF IMMOVABLE PROPERTY FROM
MORTGAGE

I, of
....., being the mortgagee of mortgage No.
..... dated the
....., 19 (having received the
sum of £..... mils on account of the amount
secured by the said mortgage (a)), hereby release from the said

mortgage the immovable property under registration No.
..... of Village (b)

And I, of
....., being the mortgagor of the said
mortgage, hereby consent to the release of the above immovable
property from the said mortgagor.

.....
Mortgagee.

.....
Mortgagor.

.....
Guarantor (if any)

Produced this..... day of
....., 19, at
a.m./p.m., at the Office, by the persons
appearing as the above-named mortgagee and mortgagor, who
stated to me that the signatures on this Memorandum are,
respectively, their own.

.....
(Status of Official before whom
declaration is made)

-
- (a) Strike out, if inapplicable.
 - (b) If only a share in the immovable property mortgaged is to
be released add "in respect of shares
therein".

.....
(Section 35).

FORM E.

THE IMMOVABLE PROPERTY (TRANSFER AND
MORTGAGE) ORDINANCE, 1966
MEMORANDUM
FOR DISCHARGE OF MORTGAGE

I,..... of
..... being the mortgagee of mortgage No.
..... dated the, 19
hereby discharge the said mortgage.

.....
Mortgagee.

Produced this day of
..... 19....., at
.....a.m./p.m., at the.....Office, by the person
appearing as the above named mortgagee, who stated to me that
the above signature is his own.

.....
(Status of Official before whom
declaration is made)

(Section 38(1)).

FORM F.

THE IMMOVABLE PROPERTY (TRANSFER AND
MORTGAGE) ORDINANCE, 1966.

Notice to Mortgagor in default.

To..... of

Take notice that there is now due to me the sum of £.....
.....mils (particulars of which are given on the statement of
account attached hereto) plus interest on £.....mils
at the rate of.....per centum per annum with
effect from the19....., on
the security of mortgage No.dated
the, 19.....

And take further notice that you are hereby required to pay the
above sum and interest now due plus all costs and expenses already
incurred for the recovery thereof and that if you shall not within
one calendar month hereof pay the said sum in full, together with
such further interest as may accrue due up to the day of payment
and the costs and expenses aforesaid, I shall apply to the Chief
Officer under section 37 of the above-mentioned Ordinance for the
sale of the immovable property charged with the payment of the
amount secured by the above mortgage.

Dated the day of
....., 19

.....
Mortgagee.

(Section 38 (2)).

FORM G.

THE IMMOVABLE PROPERTY (TRANSFER AND
MORTGAGE) ORDINANCE, 1966.
APPLICATION
FOR SALE OF MORTGAGED PROPERTY

To the Chief Officer.

I, of
..... hereby declare on oath the
following :--

- (1) I am the mortgagee of mortgage No.....
dated the, 19....
the certificate whereof is attached hereto.
- (2) The amount secured by the above mortgage has become
payable through the mortgagor's failure to pay.....
..... (a) on the
..... day of
....., 19.....
- (3) On the day of ..
....., 19, I served/
caused to be served (b) upon
.....(c) of (c)
a notice in writing, whereof the document produced to me
at the time of my swearing this affidavit and marked....
..... is a true copy ; service
of the said notice was effected by
.....(d).
- (4) There is now due to me on the security of the above mort-
gage the sum of £.....mils, being
principal sum, interest and costs and expenses of these
proceedings to-date, in accordance with the particulars
appearing on the statement of account produced to me at
the time of my swearing this affidavit and marked.....

And I hereby apply that the immovable property charged with the payment of the amount secured by the above mortgage be sold under the provisions of the above-mentioned Ordinance in satisfaction of the amount due to me as aforesaid.

.....
Mortgagee.
(Affiant)

Sworn before me this..... day of.....
....., 19

-
- (a) State whether the whole amount secured or a part thereof (to be specified) or an agreed instalment (to be specified) or agreed interest, as the case may be.
 - (b) Strike out whichever is inapplicable.
 - (c) Insert the name of the registered owner of the immovable property which is charged with the payment of the amount secured by the mortgage and his residential address.
 - (d) State mode of service; if service was effected by another person instructed to that effect by the mortgagee, the fact must be stated and a separate affidavit sworn by such person to establish such service and the manner thereof.

THIRD SCHEDULE.
(Section 55).

REPEALS

	Ordinance	Extent of repeal
Cap. 228.*	1. The Land Transfer Amendment Ordinance.	1. The whole.
Cap. 233.*	2. The Sale of Mortgaged Property Ordinance.	2. The whole
Cap. 234.*	3. The Securities for Debt (Offences and Protection) Ordinance.	3. The whole.

* Note: Cap and laws in margin marked by an asterisk denote Laws of Cyprus.

17th December, 1966

J. ROBERTS,
Chief Officer.