



REPUBLIC OF CYPRUS

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Cap. 59  
22 of 1961  
17 of 1964  
8 of 1972  
52 of 1975.

## THE FORESHORE PROTECTION LAW

(incorporating amendments made  
by Laws enacted up to 31st January, 1978)

Revision and Consolidation  
of the Cyprus Legislation.

Nicosia,  
31st January, 1978.  
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## FORESHORE PROTECTION LAW

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A LAW TO MAKE PROVISION FOR THE BETTER  
PROTECTION OF THE FORESHORE

(7th December, 1934)

Cap. 59  
22 of 1961  
17 of 1964  
8 of 1972  
52 of 1975

1. This Law may be cited as the Foreshore Protection Law. Short Title.
2. In this Law—

Inter-pretation.

“appropriate authority” has the meaning assigned to that expression by section 2 of the Streets and Buildings Regulation Law ;

2 of 8/72  
Cap. 96  
14 of 1959  
67 of 1963  
6 of 1964  
65 of 1964  
12 of 1969  
38 of 1969  
13 of 1974  
28 of 1974.

“building” has the meaning assigned to it by section 2 of the Streets and Buildings Regulation Law ;

2 of 8/72  
Cap. 96  
14 of 1959  
67 of 1963  
6 of 1964  
65 of 1964  
12 of 1969  
38 of 1969  
13 of 1974  
28 of 1974

“District Officer” means the District Officer of the District in which the foreshore to which a notice under section 3 relates is situate ;

“foreshore” includes lands within a distance not exceeding one hundred yards from high water mark, as the Minister may, by a notice to be published in the Official Gazette of the Republic, prescribe ;

3(b) of 17/64

“Minister” means the Minister of the Interior and includes any officer under his Ministry authorized by him in this respect.

3(a) of 17/64

- 3.—(1) The District Officer may, from time to time, by notice to be published in the Official Gazette of the Republic prohibit absolutely or impose restrictions or conditions upon—

Power to District Officer to prohibit interference with foreshore, etc.

(a) the digging, extracting, loading or heaping of stones, shingle, gravel, sand or other substance within the part of the foreshore specified in such notice or the removing of the same therefrom or the attempting of doing any of the aforesaid acts ;

4(a) of 17/64

(b) the dumping of any rubble, rubbish, sweepings, litter, night-soil, oils, engine-oils, or any other fluid lubrication oil, dry or liquid ballast, or other refuse,

2 of 22/61

(i) on that part of the foreshore specified in such notice,

(ii) into the sea within such distance from low water-mark as may be specified in such notice,

- (iii) from any pier, wharf, quay or jetty ;
  - (iv) from any tanker or other floating craft which may be in or passing through the territorial waters of Cyprus.
- 2 of 22/61
- 2(a) of 52/75
  - (c) the stationing, placing, leaving or erecting within the area specified in such notice, of any motor vehicle, craft, caravan, cart, wheelbarrow, container, business goods, business materials or instruments, kiosk, tent or any other thing similar to the aforesaid vehicles, crafts, articles, goods, materials, instruments or constructions :  
 Provided that in case of any contravention of the provisions of this paragraph and notwithstanding any other measures which may be taken against the offender, the District Officer may cause—
    - (i) the removal and or taking away from the specified area of any vehicle, craft, article, good, material or instrument, stationed, placed or left in contravention of this paragraph ;
    - (ii) the removal, demolition, disjoining, and or dismantling of any construction and the removal and taking away from the specified area of the materials and instruments of such construction erected or placed in contravention of this paragraph.
- (2) The provisions of this section shall apply notwithstanding that the part of the foreshore specified in the notice is privately owned.
- 2 of 16/57
  - (3) Any person who after the publication of a notice under subsection (1) of this section contravenes the terms of the same shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine and the Court before which he is convicted may, in addition to such penalty order such person—
    - (a) to pay to public revenue the value of any stones, shingle gravel, sand or other substance in respect of which the offence has been committed ;
    - (b) to remove at his expense any rubble, rubbish, sweepings, litter, night-soil or other refuse or any oils, engine oils, or any other fluid lubrication oil, dry or liquid ballast dumped in contravention of the notice or to pay to the District Officer all expenses necessary for such removal.
- 2(b) of 52/75
- 2(b) of 52/75
- 2 of 21/57
  - (4) Upon a second conviction of any person for an offence against this Law involving the removal of any stones, shingle, gravel, sand or other substance from the foreshore, any vehicle, craft, vessel or other receptacle used in or for such removal shall be forfeited.
- 2(c) of 52/75
- (5) The District Officer may appoint watchmen for the protection of the foreshore.
- 2(d) of 52/75
  - (6) In this section "craft" means ship, yacht, boat, raft, lighter or floating rig, and includes any floating craft irrespective of the propulsion power used.

**3A.—**(1) In every case of removal by the District Officer of any vehicle, craft, article, good, instrument, construction or material under the proviso to paragraph (c) of subsection (1) of section 3, from the area specified in the notice, the District Officer shall take every measure reasonably necessary for the safe custody of such vehicle, craft, article, good, instrument, construction or material and in case any damage was caused to them by negligence, other than damage by wear and tear, it shall be borne by the Republic.

Custody,  
disposal,  
etc.  
of vehicle,  
goods, etc.  
removed  
and  
liability for  
relevant  
expenses.  
3 of 52/75

(2) All expenses incurred by the District Officer for the removal, taking away, and custody of any vehicle, craft, article, good, material or instrument or for the removal, demolition, disjoining or dismantling of any construction and the removal, taking away and custody of any materials and articles of a construction under paragraph (c) of subsection (1) of section 3 and under subsection (1) of this section, shall be paid to the District Officer by the offender, owner or any other person who is responsible for or has control of such vehicle, vessel, article, good, material or instrument or construction in respect of which the contravention has taken place.

(3) Upon the request of the Police, the District Officer shall deliver to it any vehicle, craft, article, good, instrument, construction or material in his custody under subsection (1), for the purpose of their being used as exhibits in respect of any proceedings against the offender.

(4) Where the owner or any other person who is responsible for or has control of any vehicle, craft, article, good, instrument, construction or material taken in the custody of the District Officer under the provisions of subsection (1) is not known to the District Officer, the District Officer shall cause to be published in the official Gazette of the Republic a notice describing the vehicle, craft, article, good, instrument, construction or material and calling on any person claiming any right thereto to submit his claim to the District Officer within a month from the publication of such notice.

(5) Any vehicle, craft, article, good, instrument, construction or material kept in the custody of the District Officer under subsection (1) which has not been claimed within a period of one month from the publication of the notice referred to in subsection (4), may be sold or disposed of in such other manner or destroyed as may be prescribed by the District Officer :

Provided that where the District Officer has the opinion that the immediate sale or other disposal of such vehicle, craft, article, good, instrument, construction or material would be for the benefit of the owner or of any other person who is responsible for or has control thereof, he may proceed immediately with the sale or other disposal thereof, in which case the notice under subsection (4) for recovering shall make reference to the proceeds of such sale or other disposal.

(6) Where any person claiming, by application made within one month from the publication of the notice referred to in subsection (4), the ownership, responsibility or control of any vehicle, craft, article, good, instrument, construction or material in the custody of the District Officer, does not satisfy the Dis-

trict Officer with regard to such ownership, responsibility or control, the District Officer may proceed as provided in the main part of subsection (5), unless he had already proceeded with the sale or other disposal of the vehicle, craft, article, good, instrument, construction or material in compliance with the proviso to the said subsection (5) :

Provided that the claimant may appeal to the Minister against the refusal of the District Officer by application made within seven days from the date of the decision, and in such case the District Officer shall not proceed with any action under the main part of subsection (5) until a relevant decision is made by the Minister.

(7) The proceeds from the sale or other disposal of any vehicle, craft, article, good, instrument, construction or material made under subsection (5) or subsection (6) after the deduction of the expenses incurred in connection with the removal, taking away, custody and sale or other disposal thereof, shall be disposed of in such manner as the Minister may prescribe.

Power to  
police  
officers  
to stop,  
search,  
seize  
and detain  
any  
conveyance.  
3 of 16/54.  
3(a) of 21/57.

4.—(1) Any police officer or any watchman appointed by the District Officer under section 3 may upon reasonable suspicion stop and search any means of conveyance for the purposes of ascertaining whether an offence under subsection (3) of section 3 of this Law has been committed and may seize any such means of conveyance with any material found therein.

(2) Any such means of conveyance and material seized under subsection (1) of this section shall be detained at the nearest police station for a period not exceeding forty eight hours unless in the meantime the District Officer or, in case of criminal proceedings being taken, the Court, before which such proceedings are instituted, otherwise directs.

(3) Any person in charge of any means of conveyance who refuses to stop or allow a search or seizure when required by a police officer or watchman under subsection (1) of this section, shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine.

3(b) of 21/57

Restriction  
upon  
structures,  
etc., on  
foreshore.  
4 of 16/57.  
5(a) of 17/64

5.—(1) No person—

- (a) shall erect, or suffer or allow to be erected, on the foreshore any hut, booth or any other structure without a permit from the Minister and subject to such conditions as may be laid down in such permit ;
- (b) shall place on the foreshore or allow to be placed thereon any boat without a permit from the District Officer and subject to such conditions as may be laid down in such permit ;
- (c) being the owner or keeper or agent of such owner or keeper of any coffee house or restaurant shall place or allow to be placed on the foreshore any tables, chairs or other objects without a permit from the District Officer and subject to such conditions as may be laid down in such permit ;

- (d) shall organise or cause to be organised any sporting event or, shall participate in any sporting event, on the foreshore without the permit of the District Officer for the purpose and at such place of the foreshore and under such terms and conditions as may be prescribed in the permit ; 4(a) of 52/75
- (e) shall drive or pass through in a motor vehicle or in any other wheeled vehicle, whatsoever, or allow or proceed to lead, take through or bathe any sheep, goats, dogs, horses or any kind of animals in, on or across the foreshore or allow or kindle any fire on the foreshore.

(2) Any person who acts in contravention of any of the provisions of subsection (1) of this section or who acts in contravention of, or fails to comply with, any conditions laid down in a permit granted under sub-section (1) of this section shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding one hundred pounds or to both such imprisonment and fine and the Court before which such person is convicted may in addition to any such penalty order the removal at the expense of such person of any hut, booth or other structure erected or any boat or any tables, chairs or other objects placed or allowed on any part of the foreshore in contravention of the said subsection. 5(b) of 17/64 4(b) of 52/75

**5A.—**(1) The Council of Ministers may, on the application of an appropriate authority or otherwise, for the purpose of protecting or conserving the character and amenities of any foreshore, or the public use and enjoyment thereof, or the access of the public thereto, by Notification published in the official Gazette of the Republic, declare any area within which no building of any kind shall be erected. Power for prescription of areas in which the erection of buildings is prohibited 3 of 8/72 5 of 52/75

(2) Notwithstanding anything contained in the Streets and Buildings Regulation Law, as from the publication of a Notification under sub-section (1) of this section and thereafter, no permit for the erection of any building within the area specified in the Notification, under the said Law, shall be issued by the appropriate authority : Cap. 96 14 of 1959 67 of 1963 6 of 1964 65 of 1964 12 of 1969 38 of 1969 13 of 1974 28 of 1974

Provided that where in any exceptional case the appropriate authority shall be satisfied that it is in the public interest to issue a permit for the erection of a building, it may submit such case to the Council of Ministers which may, after considering same, in its absolute discretion, authorise the appropriate authority, notwithstanding the prior publication of the aforesaid Notification, to issue such permit, on such terms and conditions as the Council of Ministers may deem fit.

(3) If any substantial damage should be occasioned in any manner to any property in consequence of the application of the provisions of this section, the appropriate authority shall pay just compensation, having regard to all the circumstances of the case.

Drains  
to be  
covered  
and  
extended  
to sea.

6.—(1) The District Officer may by notice under his hand require any person or Municipal Council to cover, within such time as may be specified in the notice, any drain which crosses the foreshore, and to extend such drain into the sea by means of pipes to such distance as the District Officer may direct.

(2) Upon the receipt of such notice as in subsection (1) hereof provided, such person or Municipal Council shall take all necessary steps to comply with the requirements of the District Officer and if such person or Council shall fail or neglect to comply with such requirements the District Officer may proceed to execute the necessary works and the cost of so doing shall be payable by such person or by such Municipal Council.

Grant of  
permits to  
remove  
materials  
from the  
foreshore.  
4 of 21/57.  
6 of 52/75

7. Notwithstanding the provisions of section 3 the District Officer may, in his discretion, grant to any person a permit to remove stones, shingle, sand, gravel or other substance from any part of the foreshore which has been made the subject of a notice under paragraph (a) of subsection (1) of section 3, or any portion thereof, whether public or privately owned, but subject to the consent of the owner in the case of any part of the foreshore privately owned, and may levy such fees or charges payable to the public revenue as may be prescribed in respect of any permit or the rights thereby conferred.

Power of  
Council of  
Ministers  
for pre-  
scription  
of form,  
conditions,  
fees, etc.  
of permits.  
7 of 52/75

7A. The Council of Ministers may, by order published in the official Gazette of the Republic, prescribe the form of any permits issued under this Law, the restrictions or conditions applicable to such permits and the fees and charges payable and the manner of assessment thereof, either in respect of the Republic as a whole or of such area thereof as may be prescribed in the order.

Prerogative  
of the  
Republic  
preserved.  
8 of 52/75

8. Nothing in this Law contained shall be deemed to prejudice any right, interest or prerogative in the foreshore otherwise vested in the Republic.