

## No. 177.

## THE MUNICIPAL CORPORATIONS LAWS, 1930 TO 1945.

## THE MUNICIPAL CORPORATIONS (ASSESSMENT APPEALS) RULES OF COURT, 1946.

C. C. WOOLLEY,  
*Governor.*

In the exercise of the powers conferred by section 106F of the Municipal Corporations Laws, 1930 to 1945, the Governor with the advice and assistance of the Chief Justice has been pleased to make and hereby makes the following rules:—

1. These rules may be cited as the Municipal Corporations (Assessment Appeals) Rules of Court, 1946.

2.—(1) All appeals under sections 100, 101 and 102 of the Municipal Corporations Laws, 1930 to 1945 (hereinafter referred to as "the Law") shall be instituted by a notice of appeal filed with the Registrar of the Court to which the appeal is made within the time allowed by the Law for appealing in each case.

(2) The notice of appeal must specify the grounds of appeal.

3. Every Registrar shall keep a book in which particulars of all notices of appeals filed under Rule 2 shall be entered and every notice shall be given a serial number.

4.—(1) A copy of the notice of appeal must be served, within the time allowed for appealing, on each of the following persons, not being the appellant, that is to say:—

(a) the Council.

(b) the owner of the premises concerned.

(c) the occupier of the premises concerned.

(2) Service on the Council may be effected by leaving a copy of the notice of appeal with the Town Clerk of the Municipal Corporation concerned.

5.—(1) Every person upon whom a copy of a notice of appeal is served in accordance with Rule 4 shall, if he intends to appear as respondent and oppose the appeal, give notice in writing of his intention to do so, stating whether he intends to appear separately or jointly with some other person, and giving his address for service and a short statement of the grounds of opposition to the appeal.

(2) Such notice shall be given to the Registrar of the Court and to the appellant before the expiration of 14 days from the date of the service of the copy of the notice of appeal, or within such extended time as the Court may allow, and a person omitting to give such notice shall not be heard in opposition to the appeal except upon such terms as the Court may think fit to impose.

6. The forms contained in the First Schedule shall be used in matters or proceedings under sections 100, 101 and 102 of the Law with such variations and modifications as the circumstances may require.

7. If the terms of any order or judgment for which application is made to the Court have been agreed upon by all parties, particulars of such terms, signed by the parties or their advocates shall be sent to the Registrar of the Court, and at any subsequent sitting of the Court an order or judgment may be made or entered in accordance with such terms in the absence of the parties unless the Court for any special reason requires their attendance.

8.—(1) The procedure to be followed on the hearing of any appeal under the law shall be, as nearly as possible, the same as the procedure followed on the hearing of any civil appeal.

(2) The rules relating to civil proceedings shall apply to any matter arising out of a proceeding under the Law or these Rules for which no provision is made herein.

9. The fees of Court prescribed in the Second Schedule shall be charged in respect of the proceedings therein mentioned.

10. Parties as between themselves and advocates as between themselves and their clients shall be entitled to charge and shall be allowed the fees prescribed in the Third Schedule in respect of the matters therein mentioned.

FIRST SCHEDULE.

FORM 1A.—(Appeals under section 100).

NOTICE OF APPEAL.

No.....

In the District Court of.....

In the matter of section (1).....of the Municipal Corporations Laws, 1930 to 1945 ;

AND

In the matter of the immovable property described in the valuation list for the year of..... as.....  
Between :—

....., Appellant,

and

....., Respondents.

1. Take notice that I/we (2)....., having applied on the.... day of.....19....., to the revision committee for rectification of the valuation list in respect of the immovable property aforesaid on the grounds that (3)....., and being dissatisfied with the decision of the said committee, hereby appeal from the decision aforesaid.

2. The notice that the valuation list had been revised and deposited at the office of the Council was published in the *Gazette* on the.....day of.....19.....

3. The grounds of my/our appeal and the reasons therefor are as follows :—(4).....

Dated this....day of....., 19.....

(Signed).....

*Appellant or his advocate.*

Address for service :.....

Filed this.... day of....., 19.....

.....

*Registrar.*

(1) Section creating the right of appeal in the particular case.

(2) The Mayor, Deputy Mayor, Councillors and townsmen of the town of..... The owner of the immovable property aforesaid. The occupier of the immovable property aforesaid (as the case may be).

(3) Set out the grounds under S.99 (1) upon which application for rectification was made.

(4) Each ground and the reasons therefor should be stated separately and fully.

FORM 1B.—(Appeals under section 101).  
NOTICE OF APPEAL.

In the District Court of.....

In the matter of section.... of the Municipal Corporations Laws,  
1930 to 1945 ;

AND

In the matter of the immovable property described in the valuation  
list for the town of.....as.....

Between :—

....., Appellant,  
and  
....., Respondents.

1. Take notice that I/we (1).....  
being dissatisfied with the action of the Municipal Council of the town  
of..... in (2).....  
hereby appeal against the said action.

2. Notice in writing of the said action under section 101 (1) of the  
Municipal Corporations Laws, 1930 to 1945, was received by me on  
the.....day of.....19.....

3. The grounds of my/our appeal and the reasons therefor are as  
follows :—.....

Dated this....day of....., 19.....

(Signed).....  
Appellant or his advocate.

Address for service :—.....

Filed this.....day of....., 19.....

.....  
Registrar.

- 
- (1) The owner of the immovable property aforesaid } as the case
  - The occupier of the immovable property aforesaid } may be.
  - (2) Determining the annual value of the immovable property
  - aforesaid, and/or, adding my/our names in the valuation list
  - in respect of the immovable property aforesaid.

FORM 1C.—(Appeals under section 102).  
NOTICE OF APPEAL.

In the District Court of.....

In the matter of section..... of the Municipal Corporations Laws,  
1930 to 1945 ;

AND

In the matter of the immovable property described in the valuation  
list for the town of..... as.....

Between :—

....., Appellant,  
and  
....., Respondents.

1. Take notice that I/we (1).....  
being aggrieved by the revision of the valuation list by the Municipal  
Council of the town of..... in respect of the immovable  
property aforesaid on the grounds that (2).....  
hereby appeal against the said revision of the valuation list,

2. The notice that the valuation list had been revised and deposited at the office of the Council was published in the *Gazette* on the.... day of.....19.....

3. The grounds of my/our appeal and the reasons therefor are as follows :—.....

Dated this.... day of....., 19.....

(Signed).....  
*Appellant or his advocate.*

Address for service :—.....

Filed this.... day of....., 19.....

.....  
*Registrar.*

- 
- (1) The owner of the immovable property aforesaid } as the case
  - The occupier of the immovable property aforesaid } may be.
  - (2) Set out the grounds under S.102 (2) (b) on which appellant is aggrieved.

FORM 2.—(Rule 5).

NOTICE OF INTENTION TO APPEAR.

In the District Court of.....

In the matter of section..... of the Municipal Corporations Laws, 1930 to 1945 ;

AND

In the matter of the immovable property described in the valuation list for the town of..... as.....

Between :—

....., Appellant,

and

....., Respondents.

1. Take notice that I/we (1)..... intend to appear (separately) (2) (jointly with..... of.....) as respondents to the above appeal.

2. The grounds on which I/we intend to oppose the appeal are as follows :—.....

Dated this.... day of....., 19.....

(Signed).....  
*Appellant or his advocate.*

Address for service :—.....

Filed this....day of....., 19.....

.....  
*Registrar.*

- 
- (1) The Mayor, Deputy Mayor, Councillors and townsmen of the town of..... The owner of the immovable property aforesaid. The occupier of the immovable property aforesaid. (As the case may be).
  - (2) Strike out whichever of these alternatives is inapplicable.

## SECOND SCHEDULE.

*Fees of Court.*

1. On filing Notice of Appeal .. .. . £1.
2. On filing Notice of Intention to appear as Respondent .. 5s.

## THIRD SCHEDULE.

*Fees as between advocate and client and party and party.*

	Where the annual value			
	does not exceed £50	exceeds £50 but not £100	exceeds £100 but not £200	exceeds £200
Preparing Notice of Appeal and grounds thereof ..	10s.	15s.	20s.	25s.
Preparing Notice of Intention to appear as Respondent and grounds of opposition .. ..	10s.	15s.	20s.	25s.

Given under the hand and official seal of the Governor and the hand  
of the Chief Justice at Nicosia this 18th day of May, 1946.

(M.P. 678/45.)

E. ST. J. JACKSON,  
*Chief Justice.*

**No. 178.**THE CYPRUS COURTS OF JUSTICE ORDERS AND LAWS,  
1927 TO 1945.

## RULES OF COURT, 1946.

C. C. WOOLLEY,  
*Governor.*

In exercise of the powers vested in the Governor by the Cyprus Courts of Justice Orders and Laws, 1927 to 1945, and of every other power him enabling in this behalf, and with the advice and assistance of the Chief Justice, His Excellency the Governor has been pleased to make and hereby makes the following rules :—

1. These rules may be cited as the Rules of Court, 1946, and shall be read as one with the Rules of Court, 1938 to 1945, (hereinafter referred to as “the principal Rules”), and the principal Rules and these rules may be cited together as the Rules of Court, 1938 to 1946.

2.—(1) Rule 6 in Order 12 of the principal Rules is hereby amended by the insertion of the word “made” between the word “order” and the words “under Rule 4” in the first line thereof.

(2) Rule 7 in Order 12 of the principal Rules is hereby amended by the deletion of the words “under Rule 5” in the first line thereof and the substitution therefor of the words “made under Rule 4”.

3. Order 17 of the principal Rules is hereby amended by the addition of the following rule :