

the lease, a sum equal to four per thousand on the capital value of the lands together with all such buildings, constructions and trees as may from time to time be found thereon.

Such Verghi shall be assessed and collected at the same periods and in like manner as the Verghi payable in respect of other immovable property.

Short title.

18. This Law may be cited as the Public Lands (Leases) Law, 1882.

PUBLIC LOANS.

13 OF 1897.

TO ESTABLISH A PUBLIC LOAN FUND.

[August 3, 1897.]

Loan Com-
missioners.

1. For the purpose of granting loans from the fund established by this Law, and for the purpose of the execution of this Law and of any enactment passed or hereafter to be passed authorizing or referring to such loans, there shall be a Board of Commissioners, in this Law referred to as the "Loan Commissioners."

Constitution
of Loan Com-
missioners.

2. The Loan Commissioners shall consist of the following official members, who shall hold office *ex-officio*; that is to say, the High Commissioner, the Chief Secretary, the Receiver-General, and the Director of Agriculture, for the time being; and of four unofficial members, taken from the elected members of the Legislative Council for the time being, of whom one shall be chosen from their own number by the members elected by the Mahommedan voters, and three others from their own number by the members elected by the non-Mahommedan voters.

23, 1923, 2.

In the event of there being an equality of votes the High Commissioner shall nominate one or more unofficial members, as the case may require, from among the persons obtaining the equal number of votes.

For the purposes of this section an officer appointed to act in any of the above-mentioned offices shall be deemed to be the permanent holder thereof.

Fund vested
in Com-
missioners.

3. For the purposes of this Law the following moneys, in this Law called "The Fund," shall be deemed to be vested in the Loan Commissioners; that is to say:—

- (1.) The unexpended balance standing to the credit of the Agricultural Bank fund;

(2.) The unexpended balance standing to the credit of the Surplus Locust Fund;

(3.) The principal and interest of any loans before the passing of this Law granted from either of the foregoing funds, whether under the provisions of any Law, or otherwise;

(4.) Any fund, not being moneys which prior to the passing of this Law would have been payable to General Revenue, which the Legislative Council by resolution approved of by the High Commissioner may order to be vested in the Board for the purposes of this Law.

4. The High Commissioner, or in his absence the senior official member, shall preside at all meetings of the Commissioners, and any three members (the chairman being counted as a member) shall form a quorum. Meetings of the Commissioners.

5. With respect to the Loan Commissioners the following provisions shall have effect:— Powers, etc., of Commissioners.

(1.) The Receiver-General shall be the Treasurer of the Fund, the principal and interest of which shall be on deposit with the Government;

(2.) The Loan Commissioners may sue and be sued in the name of the Queen's Advocate for the time being;

(3.) The Loan Commissioners may examine any persons willing to be examined on any matters connected with the execution of this Law, and may for that purpose, or otherwise for the purpose of the execution of this Law, administer an oath or affirmation;

(4.) The Loan Commissioners shall annually cause to be made out up to the end of every financial year a statement of accounts showing the state of the Fund and all transactions under this Law during the year, and shall submit it for audit to a person to be appointed by the High Commissioner. The statement shall, as early as practicable in each session, be laid on the table of the Legislative Council, and shall be published in the *Cyprus Gazette*; and

(5.) Any minute made of proceedings at meetings of the Commissioners, if signed by any person purporting to be the chairman either of the meeting of the Commissioners at which the proceedings took place or of the next ensuing meeting of the Commissioners, shall be receivable in evidence in all legal proceed-

ings without further proof; and, until the contrary is proved, every meeting of the Commissioners, in respect of the proceedings of which minutes have been so made, shall be deemed to have been duly convened and held, and all the members thereof to have been duly qualified to act.

Loans for
Public Works.

6.—(1.) The Loan Commissioners may, if they think it expedient, from time to time, in the manner mentioned in this Law, make loans to the Government for the construction of public works, and to any municipal council or commission or to any village community for the purpose of constructing works of public utility, or to any body consisting of not fewer than five persons who shall be associated for the purpose of effecting any general improvement of agricultural land. They may also, if they think it expedient, make loans to individuals to facilitate the construction of wells, on proper security for the use of the money for that purpose, but in no case to the amount of more than one-half of the cost of the wells.

In considering the propriety of granting a loan under the provisions of this section the Commissioners shall have regard to the sufficiency of the security for its repayment, and shall determine whether the work for which the loan is proposed would be such a benefit to the public as to justify a loan out of public money, having regard to the amount of money at their disposal.

Loans for agricultural or manufacturing undertakings.

(2.) The Loan Commissioners may, if they deem it expedient, make loans to any person, association of persons or village community to enable such person, association, or community to establish, carry on, develop or extend any agricultural or manufacturing undertaking, or to procure any plant, material or apparatus for any such undertaking.

Loan to two or more villages for joint undertaking.

(3.) Where two or more village communities desire to join in carrying on any undertaking, the Loan Commissioners may, if they deem it expedient, make loans to such village communities jointly or separately, or jointly and separately, or apportion the loan in such proportions as are agreed to be paid by each of the communities separately.

Advances to Agricultural Board for benefiting agricultural or manufacturing interests.

(4.) The Loan Commissioners, with the sanction of the High Commissioner, may make advances to the Agricultural Board on such terms and conditions as may be agreed on, for the purpose of benefiting the agricultural or manufacturing interests of the Island; and the interest on any such advance, and the amount or

the instalment of the capital agreed to be paid in any year, shall be deducted from any amount which may be awarded to the Agricultural Fund under this Law; and the right of the Loan Commissioners so to take such interest and capital shall be deemed sufficient security for the repayment of the sum with interest so advanced.

(5.) The Loan Commissioners, with the sanction of the High Commissioner, may, if they deem it expedient, make loans to any Village or Town Committee of Education established under the provisions of the Education Law, 1905, for the purposes of erecting or extending any school building or for providing, improving or developing any school premises, play-ground or garden, provided that such loans shall be made in accordance with the provisions of the said Law.

Loans to
School Com-
mittees for
buildings.
1, 1910, 2.

(6.) The Loan Commissioners, with the sanction of the High Commissioner, may, if they deem it expedient, make loans to any Town Committee of Education in the case of a Greek-Christian Secondary School or to any Governing Body in the case of a Moslem Secondary School established under the provisions of the Education Laws, for the purpose of providing all necessary school buildings and premises, provided that such loans shall be secured to the satisfaction of the Loan Commissioners.

10, 1914, 2.

7.—(1.) Every loan granted under this Law shall be made repayable in such instalments as shall provide for the extinction of the debt with the interest thereon within a period from the date of the actual advance of the loan not exceeding thirty years.

Interest on
loan.

(2.) The interest to be paid on any loan shall be at such rate not exceeding seven per cent. per annum as may be determined in each case by the Loan Commissioners.

Rate of
Interest.

(3.) Where a loan has been granted repayable within a period less than the full period allowed by the foregoing provisions of this section, the Loan Commissioners, if the repayment of the loan with interest is in their opinion sufficiently secured, and if they think fit, may extend the period for its repayment to a period not exceeding the said full period from the date of the advance of the loan.

(4.) The Loan Commissioners, in considering whether the period for the repayment of a loan should or should not be the full period, shall have regard to the durability of the work for the purpose of which the loan is granted, and to the expediency of the cost of the work being paid by the generation of persons who will immediately benefit by the work.

(5.) The first instalment for the repayment of every loan shall be made payable within a period not exceeding two years from the date of the advance of the loan.

Disallowance
of loans.

8. The High Commissioner, any resolution of the Loan Commissioners notwithstanding, may disallow any loan.

Advances
under
Irrigation
and Branch
Roads Laws.

9.—(1.) It shall be the duty of the Loan Commissioners to make from the funds vested in them the advances required by the Irrigation and Water Law, 1887, or the Branch Roads Construction Law, 1892, or any enactment amending either of them.

(2.) Interest shall be paid on all such loans made after the 25th of July, 1902: Provided that interest at a higher rate than three per cent. per annum shall not be charged on loans made under the Branch Roads Construction Law, 1892.

Security for
loans. ●

10. The Loan Commissioners may require securities to be given for the repayment of the moneys advanced under the provisions of this Law, either by way of personal obligation, the mortgage or transfer of immovable property, or the mortgage of any rate, fee or duty payable to any municipal authority; and all securities for any loan granted by the Loan Commissioners in pursuance of this Law may be given to the Receiver-General on behalf of the Commissioners.

Power in
relation to
rate where
default made.

11. Where a loan made by the Commissioners to any local authority is secured by the mortgage of any rate, fee or duty, and default is made in making payment according to the terms of such mortgage, then, at any time after such default, the Commissioners may, without prejudice to any other remedy, by notice in writing served on the mortgagor, declare their intention to exercise the power conferred by this Law, and thereupon the Commissioners shall have and may exercise the same power as the mortgagor of imposing and levying the rate, fee or duty mortgaged, and for that purpose the Commissioners may appoint an officer who, subject to the direction of the Commissioners, shall have and may exercise the same powers, authorities and duties as if he had been appointed by the mortgagor.

The Commissioners in making an estimate of the rate to be levied for the purpose of paying any sum due, may add such sum as they think sufficient for defraying, and may defray thereout, all costs, charges and expenses, including remuneration to any officer or other

person employed, incurred by the Commissioners in the execution of their powers under this section or otherwise by reason of the default in payment.

Any balance remaining in the hands of the Commissioners shall be paid by them to the mortgagor.

The Commissioners may by a like notice declare their intention to relinquish the powers conferred by this section, and that either absolutely or with reservations and conditions, and thereupon all such powers shall revert in the mortgagor subject to the said reservations and conditions.

12. Where the Commissioners grant a loan in aid of any work which is either partly completed or not commenced, they may take such security for the application of the loan to the work, and for the due completion of the work as they may think sufficient for securing the interest of the public.

Security for completion of public work.

13. Any Municipal Council may, with the consent of the High Commissioner, borrow money from the Loan Commissioners for carrying out any work of public utility and, for the purpose of paying the principal and interest of the loan, may mortgage any rate, fees or duties to the Loan Commissioners in accordance with this Law, and from and after the date of the mortgage, the rate, fees or duties shall be charged with the payment of the loan with interest as in the mortgage mentioned.

Power of Municipal Authority to mortgage rates, etc.

14.—(1.) Every contract or obligation for securing repayment of a loan made to a Village Community under this Law, shall be executed in accordance with the provisions of the Village Obligations Law, 1901; and a certificate purporting to be under the hand of the Chief Secretary that the persons executing any such contract or obligation on behalf of the Village Community have been authorized by the High Commissioner to do so shall be conclusive evidence of their right to execute it.

Application of The Village Obligations Law, 1901.

(2.) Where a loan has been made to any Village Community and default is made in making payment according to the terms of the loan, the High Commissioner may, at the request of the Commissioners, and without prejudice to any other remedy, order a special rate to be levied and to continue in force until payment has been made of the sum due.

Levy of special rate in case of default by village community.

Such special rate may be made by levying upon the immovable property within the Village Community an additional charge not exceeding two per thousand on the capital value of all property subject to Verghi Kimat.

Perjury.

15. Any person who when examined by the Loan Commissioners in pursuance of this Law wilfully gives false evidence, or who, for the purpose of obtaining a loan under this Law, wilfully gives information to the Commissioners which is false in any material particular, shall be guilty of perjury and shall be punishable as though he had given false evidence in a judicial proceeding.

Advances for purchase of seed corn.

16. The Loan Commissioners may, on a requisition addressed to them by the Chief Secretary, advance funds to the Receiver-General for the purchase of seed corn to be lent on customary terms to cultivators, or on the following terms, at the option of the borrower:—

The borrower shall give a bond, with such security as may be required, securing the repayment at harvest time of the value of the seed advanced, at the current price when the advance is made, with interest at a rate not exceeding five per cent.

Repayment may be made either in cash or in kind, the amount to be paid in kind to be determined by agreement according to the current price at the time of repayment.

And the Receiver-General shall account to the Commissioners for the proceeds, both principal and interest, of such loans.

Advances for improvement of agriculture.

17. There shall be set aside from the Funds vested in the Loan Commissioners by this Law, a sum of one thousand pounds, which the Commissioners may lend to individuals at adequate interest on good and sufficient security, to be expended in any manner which in the opinion of the Commissioners may be conducive to the improvement of Agriculture or may facilitate the carrying on of agricultural operations.

The Receiver-General shall keep a separate account of these moneys.

Payment for developments of agriculture.

18. The Commissioners may in any year pay to the Agricultural Fund a sum not exceeding two-thirds of the amount which at the close of the financial year shall appear to represent the amount of interest actually recovered (after making allowance for bad and irrecoverable debts) on loans which have been granted.

The amount so paid shall be applied as the High Commissioner shall direct to the advancement and development of agriculture in Cyprus.

19. When any loan made by the Loan Commissioners is made repayable by instalments, and default is made in repayment of any instalment as and when it becomes payable to the Loan Commissioners, or where default is made in payment of any interest due to the Loan Commissioners as and when it becomes payable to the Loan Commissioners, in every such case the whole loan and all interest thereon, until the date when the whole loan or the last instalment thereof is payable, shall become due and payable to the Loan Commissioners, and may be sued for and recovered against all persons liable to pay it, either as principals or sureties, or the Commissioners may at their option sue for and recover any instalment or interest due and unpaid.

Whole loan and interest repayable when any default made.

20. Every debt due to the Loan Commissioners shall have preference over all other debts thereafter contracted by the debtor saving only debts due to the Government having preference under any Law.

Debt to Loan Commissioners preferred.

21. Where any moneys received on loan from the Loan Commissioners are expended on the purchase of any animal, plant, implement or thing used for agriculture or trade, such animal, plant, implement or thing shall not be liable to be taken in execution for the debt of any person other than the Loan Commissioners so long as any portion of the loan or interest thereon is unpaid to the Loan Commissioners.

Things purchased with loan not liable to execution until loan paid off.

22. Where any monies received from the Loan Commissioners are loaned for the purpose of improving the land or producing any crop or manufactured product, the crop or manufactured product may, if the Loan Commissioners so desire, be taken in kind in each year thereafter to a quantity which is equivalent in value as determined by the Loan Commissioners, at the current market rates, to the amount of the annual instalment, together with all the interest on the amount unpaid which may become due in that year to the Loan Commissioners; and this right shall be deemed a preferential right over all creditors of the debtor other than the Loan Commissioners or the Government having preference under any Law; and this right shall be in addition to all other rights of the Loan Commissioners.

Interest and instalments on loans for improvements or production may be taken in kind.

23. The Loan Commissioners with the sanction of the High Commissioner may employ such agents, clerks or assistance, and incur such charges as they may consider expedient, and may defray from the profits arising from their transactions any costs or charges incurred by them in carrying out this Law.

Employment by Loan Commissioners of staff.

Statement of loans to be published in *Gazette*.

24. A statement showing all loans made by the Loan Commissioners, and giving the names of the persons to whom the loans are made and the amount lent shall be published quarterly in the *Cyprus Gazette*.

Any loan purporting to be made under this Law, and not disallowed to be deemed authorized.

25. Any loan purporting to be made by the Loan Commissioners under this Law and not disallowed by the High Commissioner shall be deemed to be a loan authorized by this Law.

Power to Loan Commissioners to borrow at a rate not exceeding five per cent.

26. The Loan Commissioners may hereafter borrow money at such rate of interest as may be from time to time sanctioned by the High Commissioner not exceeding the rate of five per cent. per annum and the repayment of the principal and interest of the moneys so borrowed shall form a first charge on the fund.

Provided always that the Loan Commissioners shall not be in any wise personally liable for any matter arising in respect of such advance.

Security may be executed by any two Loan Commissioners.

27. In all Loans made to the Loan Commissioners the obligation for securing repayment may be in the form in Schedule 1, and may be executed by any two of the Loan Commissioners by order and on behalf of the Board of Commissioners.

When a loan is made for erection of school buildings Village Committee of Education to add interest and sinking fund on loan to school fees.

28. When a loan is made by the Loan Commissioners to any Village Community for the purpose of erecting or extending any village school building or for improving or developing any school premises, it shall be the duty of the Village Committee of Education constituted under the authority of The Education Law, 1905, to add to the school fees assessed under the said Law a sum sufficient to meet the interest and sinking fund on such loan, and such sum shall be apportioned and collected in the manner provided by the said Law for the apportionment and collection of school teachers' salaries.

Forms.

29. The Forms in Schedule 2 may be used in the case of loans to Village Communities, and shall be deemed sufficient.

Short title.

30. This Law may be cited as the Public Loans Law, 1897.

SCHEDULE 1. (S. 27.)

This Agreement made this _____ day of _____ 190 _____ between _____ of _____ of the one part and _____ for and on behalf of the Board of Commissioners established under The Public Loans Law, 1897 (hereinafter called "the Loan Commissioners") of the other part.

Witnesseth that in consideration of the sum of
 this day advanced by the said
 to the Loan Commissioners (the receipt whereof for the purposes of The
 Public Loans Law, 1897, the Loan Commissioners do hereby acknow-
 ledge) the Loan Commissioners do hereby agree to repay the said sum of
 on the first day of April, 190 with interest
 for the same in the meantime at the rate of per centum per
 annum by equal half-yearly payments on the first day of April and
 the first day of October in every year, the first of such payments to be
 made on the day of 190 .

Provided always and it is hereby agreed and declared that the Loan
 Commissioners shall not be in any wise personally liable for any matters
 arising out of this Agreement.

And it is hereby further agreed and declared that this Agreement shall
 be construed and determined in all respects according to English Law.

In witness whereof the said
 has hereunto set his hand and the said
 and have
 hereunto set their hands by order and on behalf of the said Loan
 Commissioners.

SCHEDULE 2. (S. 29.)

FORM OF AGREEMENT IN CASE OF A LOAN TO A VILLAGE COMMUNITY REPAYABLE BY INSTALMENTS.

This agreement made this day of , 190
 between Receiver-General, for and on behalf of the Board
 of Commissioners established by The Public Loans Law, 1897, (who are
 hereinafter referred to as "The Loan Commissioners") of the one part
 and the Mukhtar and
 one of the Azas of the Village of of the
 other part.

Witnesseth that the said and
 in pursuance of The Village Obligations Law, 1901, and The Public
 Loans Law, 1897, and in consideration of the payment of the sum of
 £ advanced under The Public Loans Law, 1897,
 (the receipt whereof the said and
 hereby acknowledge) do hereby
 on behalf of the community of the said village promise and undertake to
 repay the said sum of £ with interest thereon or on so
 much thereof as shall immediately prior to the payment of each of the
 instalments hereinafter mentioned remain unpaid after the rate of
 per centum per annum by annual instalments of £
 the first of which shall be due and payable on the day of
 190 , and the remaining upon the
 day of in each of the

succeeding years and to pay interest at the rate of _____ per centum per annum on any amounts that may be overdue and in arrear.

In witness whereof the said _____ and _____ as such Mukhtar and Aza as aforesaid have set their hands hereto on behalf of the community of the said village and the said _____ has set his hand by order and on behalf of the said Loan Commissioners.

(Signed)

FORM OF CERTIFICATE BY CHIEF SECRETARY UNDER SECTION FOURTEEN (TO BE ADDED WHERE NECESSARY TO THE ABOVE FORM).

I hereby certify that the above named _____ and _____ have been duly authorized by His Excellency the High Commissioner to execute the above written obligation on behalf of the said village.

(Signed)

Chief Secretary.

PUBLIC OFFICERS' GUARANTEE.

3 OF 1896.⁽¹⁾

TO ESTABLISH IN CYPRUS A PUBLIC OFFICERS' GUARANTEE FUND.

WALTER J. SENDALL.]

[April 25, 1896.

WHEREAS it is expedient to enable Public Officers in the service of the Island who are required to give security for the faithful performance of their duties to furnish such security without inconvenience; And whereof it is expedient for this purpose that a Guarantee Fund should be formed:

BE it therefore enacted:—

Short title.

1. This Law may be cited as the Public Officers' Guarantee Fund Law, 1896.

Interpre-
tation.

2. In this Law, unless the context otherwise requires,—

“Fund” means the fund established by this Law;

“Directors” means the Directors of the Fund established under this Law;

“Office” means an office in the public service of Cyprus the holder of which is required to give security for the faithful performance of his duties;

“Officer” means the holder of an office as defined above.

⁽¹⁾ See Official Security (Immovable Property) Law, 10 of 1917, p. 456.