

with, and any foundation, wall, roof, chimney, verandah, balcony or part of a building, or anything affixed thereto, and any wall, earthbank, fence, paling or other construction inclosing or delimiting or intended to enclose or delimit any space; "Medical Officer of Health" means a Medical Officer appointed by the High Commissioner to be a Medical Officer of Health.

16, 1921, 4.

81. This Law may be cited as the Municipal Councils Law, 1885. Short title.

15 OF 1923.

TO PROVIDE FOR WEIGHING AND MEASURING BY MUNICIPALITIES.

MALCOLM STEVENSON.]

[May 15, 1923.]

1. This Law may be cited as the Weighing (Municipalities) Law, 1923. Short title.

2. In this Law:—

"Goods" means any goods, wares or merchandise of the nature or description mentioned in the Schedule of a weight or quantity not less than that specified in the Schedule.

Interpretation.

"The Schedule" means the Schedule to this Law.

"Municipal Weigher" means a person appointed by a Municipality to be a Municipal Weigher within such Municipality.

3. There shall be kept by every Municipality sufficient balances, scales and weights for the weighing of goods within the Municipal limits, and such balances, scales and weights shall be kept in some public and convenient place or places and shall be under the custody and control of a Municipal Weigher.

Municipality to keep balances, scales and weights.

4.—(1.) Whenever a sale of goods takes place within the limits of any Municipality, or whenever goods, the subject matter of any sale, are delivered or are to be delivered within such limits, in either of such cases, such goods shall be weighed by the Municipal Weigher, and upon such weighing there shall be paid by the vendor to the Municipal Weigher in respect of the weighing of such goods, the fees specified in the Schedule: provided that the minimum fee to be paid shall be the sum of 1cp.

Compulsory weighing.

(2.) All goods which are brought within the Municipal limits of the town from the district in which such town is situate are subjected to the fees mentioned in the Schedule. Provided that goods which are brought within the Municipal limits of the town from a district other than the district in which such town is situate in transit to some other district shall not be subject to the fees mentioned in the Schedule.

(3.) This section shall not apply to any goods the subject matter of any sale or purchase by the Government of Cyprus.

Definition.

5.—(1.) In this section, “ crude spirit ” means Zivania (Souma) manufactured by means of a village still of the native pattern commonly called Kazani from grapes, or from the residue of wine which has been made from grapes grown in Cyprus.

Compulsory weighing or measuring and testing

(2.) Whenever a sale of crude spirit takes place within the limits of a Municipality or whenever crude spirit the subject matter of any sale is delivered or is to be delivered within such limits such crude spirit shall be weighed or measured and tested by a Municipal Weigher.

(3.) The Municipal Weigher shall, at the option of the vendor, either weigh crude spirit by oke weight and test the same by means of Cartier’s hydrometer or shall measure crude spirit by gallon measure and test the same by means of Sikes’ hydrometer.

(4.) There shall be paid to the Municipal Weigher by the vendor of crude spirit weighed or measured and tested under the provisions of this Law the following fees:—

(a.) In respect of every oke weight or portion thereof of crude spirit weighed and tested by Cartier’s hydrometer a fee not exceeding one and a half paras.

(b.) In respect of every gallon measure or portion thereof of crude spirit measured and tested by Sikes’ hydrometer a fee not exceeding six paras.

The Municipality may fix the fee payable to the Municipal Weigher by the vendor in respect of weighing or measuring and testing of crude spirit provided that such fee does not exceed the prescribed maximum fee.

(5.) All sales of crude spirit to which this section applies shall be by oke weight when weighed and tested by Cartier’s hydrometer, and by proof gallon when measured and tested by Sikes’ hydrometer.

Procedure.

6. Whenever any goods are required to be weighed, measured or tested under the provisions of this Law, the vendor or purchaser of such goods shall inform the Municipality that the same are ready and require to be weighed, measured or tested, and shall afford to the Municipal Weigher every facility to enable such weighing, measuring or testing to take place; and any person contravening any of the above provisions shall be guilty of an offence and for every such offence shall be liable to a fine not exceeding three pounds.

Penalties.

Provided that, if the Municipality on receipt of notice as herein prescribed makes default in furnishing the necessary Municipal

Weigher within one hour of the time at which such notice was received, the vendor or purchaser or both may weigh, measure or test the goods without incurring any penalty.

7. Whenever any wines or spirits are weighed under the provisions of this Law, the Municipal Weigher shall, after weighing such wines or spirits in the skin, barrel or other receptacle, weigh such skin, barrel or other receptacle separately, so as to obtain the nett weight of such wines or spirits.

Receptacles
to be weighed
separately.

8. Whenever the proper Officer of Customs for any lawful purpose in performance of the duties of his office shall require of a Municipality that any goods or other articles within the Municipal limits shall be weighed, the Municipal Weigher shall effect such weighing and the fees payable in respect thereof shall be paid to the Municipal Weigher by the owner of such goods or articles.

Weighing at
instance of
Customs
Officers.

Provided that in the case where goods liable to the payment of tithe on export are on export weighed under the provisions of this Law, no fee shall be levied in respect of so much of such goods as represents the tithe payable thereon.

9. Upon the completion of any weighing, measuring or testing under the provisions of this Law, the Municipal Weighers shall enter in a book to be kept for that purpose full particulars of the transaction and the amount of fees payable in respect thereof, and, upon receipt by him of the prescribed fees, shall hand to the person who required such weighing, measuring or testing, a certificate setting forth the said particulars and the amount of fees so paid.

Transactions
to be entered
in book and,
certificates
to be given.

10. Any person in charge of any balances, scales and weights kept by a Municipality who shall improperly or inaccurately weigh, measure or test any goods or articles which he is required to weigh, measure or test in pursuance of the provisions of this Law, or shall make a false entry or a false certificate or record with regard to such weight, measure or test, with intent to defraud, shall be guilty of an offence and for every such offence shall be liable on conviction to a fine not exceeding twenty pounds or to be imprisoned for any term not exceeding six months or to both such penalties.

Penalties for
false entries,
etc.

11. Whenever it shall appear that the revenue of any Municipality is insufficient for the purposes to which it is applicable, the High Commissioner may, if he shall think fit, direct that the fees prescribed in the Schedule to be taken on the weighing of carobs within the limits of such Municipality shall be increased by an amount not exceeding 50 per cent. over and above the fees so prescribed and may from time to time vary such rate.

High Com-
missioner
may increase
fees on
weighing of
carobs.

Provided that such increased rate shall cease to be taken so soon as it shall appear to the High Commissioner that the necessity which led to the increase no longer exists.

Every order made by the High Commissioner under the provisions of this section shall come into force from a date to be notified in the *Cyprus Gazette*.

Penalties payable to Municipal Fund.

12. All penalties recovered under this Law shall be paid to and shall form part of the Municipal Fund of the Municipality where the offence was committed.

SCHEDULE OF WEIGHING FEES.

| Nature of Goods. | Minimum Weight or Quantity. | Fee to be taken. |
|--|-----------------------------|--|
| Wheat, vetches, vikos, favetta | 40 okes | 6 paras for every 20 okes or part thereof. |
| Barley, oats | 50 " | 4 paras for every 16 okes or part thereof. |
| Silk cocoons (dry) | 10 " | 10 paras per oke or part thereof. |
| " (fresh) | 20 " | 3 " " " |
| Wool, cotton ginned | 40 " | 2 " " " |
| Olive oil, butter | 2 " | 2 " " " |
| Charcoal, cotton seed, onions .. | 40 " | 1 " " " |
| Carobs | 40 " | 40 paras per Aleppo cantar or part thereof. 2cp. per Aleppo cantar or part thereof on export of any carobs in respect of which a weighing fee is payable. |
| Potatoes, colocas, olives, mavro-cokko, beans, peas and other pulse, sesame, linseed, aniseed, cotton unginced, dried fruits (other than raisins), nuts and flour | 40 " | 1 para per oke or part thereof. |
| Raisins, dry or boiled | 40 " | 1½ " " " |
| Wines, spirits | 40 " | 1 " " " |
| Silk | 40 " | 40 " " " |
| Terra umbra, raw, upon export only | 40 " | { 4½cp. per 800 okes and so in proportion to the nearest ½cp. |
| Terra umbra, calcined or levigated, upon export only | 40 " | |
| Coals, wood, fuel gypsum, sumac, lime, hay and chopped-straw | 75 " | ½ para per oke or part thereof |
| All other articles, not being imported articles | 100 " | 1 " " " |