

(b) For a second and every other offence, to a fine not less than two pounds or more than ten pounds, and his license shall be forfeited and he shall be prohibited from carrying a gun for a period of not less than twelve months or more than five years from the date of conviction.

Provided always that in every case on conviction of an offence under this Law the gun shall be confiscated.

This Law was published in the Cyprus Gazette No. 1684 of the 27th March, 1925.

7 OF 1925.

A.D. 1925. TO MAKE PROVISION FOR THE PROTECTION OF CHARITIES.

MALCOLM STEVENSON.]

[March 24, 1925.]

BE it enacted:—

Short title.

1. This Law may be cited as the Charities Law, 1925.

7 of 1925.
Amended by
Law 10/1934
14/1943.
Upon appli-
cation of
trustees of
any charity
High Com-
missioner
may grant
certificate of
incorpora-
tion.

2. It shall be lawful for the trustees for the time being of any charity for educational, literary, scientific or public charitable purposes to apply in manner hereinafter mentioned, to the High Commissioner for a certificate of registration of the trustees of any such charity as a corporate body; and if the High Commissioner in Council shall consider such incorporation expedient, he may grant such certificate accordingly, subject to such conditions or directions as he shall think fit to insert in the certificate relating to the qualifications and number of the trustees, their tenure or avoidance of office and the mode of appointing new trustees; and the trustees of such charity shall thereupon become a body corporate by the name described in the certificate, and shall have perpetual succession and a common seal, of which the device shall be approved by the High Commissioner, and power to sue and be sued in their corporate name, and to hold, acquire transfer, assign and demise any movable or immovable property for the purposes of such charity.

Property to
vest in body
corporate.

3. The certificate of incorporation shall vest in such body corporate all the movable and immovable property belonging to or held by any person or persons in trust for such charity, and thereupon any person or persons in whose name or names any stocks, funds, securities or

immovable property shall be standing in trust for the charity, shall transfer the same into the name of such body corporate.

4. Every application to the High Commissioner for a certificate under this Law shall be in writing, signed by the persons making the same and shall contain the following particulars :—

Particulars
respecting
application

(a) The objects of the charity and the rules and regulations of the same, together with the date of and parties to every deed, will or other instrument creating, constituting or regulating the same.

(b) A statement and short description of the property, movable and immovable, which at the date of the application is possessed by or belonging to or held on behalf of such charity.

(c) The names and residences of the trustees of such charity.

(d) The proposed title of the corporation.

(e) The proposed device of the common seal, which shall in all cases bear the name of incorporation.

5.—(1) Before a certificate of incorporation shall be granted, trustees of the charity shall have been effectually appointed in pursuance of the terms of any deed, will or other instrument creating the charity to the satisfaction of the High Commissioner.

Nomination
of trustees
and filling of
vacancies.

(2) When a certificate of incorporation shall have been granted vacancies in the number of the trustees of such charity shall from time to time be filled up so far as shall be required by the constitution or settlement of the charity, or by any such conditions or directions as aforesaid, by such legal means as would have been available for the appointment of new trustees of the charity if no certificate of incorporation had been granted or otherwise as shall be required by such conditions or directions as aforesaid, and the appointment of every new trustee shall be certified by or by the direction of the trustees to the Chief Secretary to the Government upon the completion of such appointment.

(3) Within one month after the expiration of each period of five years after the grant of a certificate of incorporation or whenever required by the High Commissioner a return shall be made to the Chief Secretary to the Government by the then trustees of the names of the trustees at the expiration of each such period with their residences.

Liability of trustees notwithstanding in corporation.

6. After a certificate of incorporation has been granted under the provisions of this Law, all trustees of the charity, notwithstanding their incorporation, shall be chargeable for such property as shall come into their hands, and shall be answerable and accountable for their own acts, receipts, neglects and defaults and for the due administration of the charity and its property in the same manner and to the same extent as if no such incorporation had been effected.

Certificate to be evidence of compliance with requisition.

7. The certificate of incorporation shall be under the hand and official seal of the High Commissioner, and shall be published in the *Cyprus Gazette*, and shall be conclusive evidence that all the preliminary requisitions herein contained and required in respect of such incorporation have been complied with, and the date of incorporation mentioned in such certificate shall be deemed to be the date at which incorporation has taken place.

Duty for certificate.

8. For every certificate of incorporation granted under this Law there shall be charged a duty of fifty pounds.

Gifts to charity before incorporation to have same effect afterwards.

9. After the incorporation of the trustees of any charity pursuant to this Law every donation, gift, and disposition of property movable or immovable theretofore made to or in favour of such charity or the trustees thereof, or otherwise for the purposes thereof, shall take effect as if the same had been made to or in favour of the incorporated body or otherwise for the like purposes.

Accounts to be furnished by trustees.

10. The trustees of any charity incorporated under the provisions of this Law shall in books to be kept by them for that purpose regularly enter or cause to be entered full and true accounts of all moneys received and paid respectively on account of such charity, and shall also at the end of every year prepare and transmit to the Chief Secretary to Government the following accounts:—

(a) An account of the gross income arising or which ought to have arisen for the benefit of the charity during the year ending on the 31st day of December then last;

(b) An account of all balances in hand at the commencement of every year, and of all moneys received during the same year, on account of the charity;

(c) An account for the same period of all payments;

(d) An account of all moneys owing to or from the charity, so far as conveniently may be; which accounts shall be certified under the hand of one or more of the said trustees.

11. The High Commissioner may at any time order that the accounts of the trustees of any charity incorporated under the provisions of this Law shall be audited by the Government Auditor or such other person or persons as he may deem fit to appoint.

Audit of trustees' accounts.

12.—(1) Every deed, will or other instrument creating a charity may be certified by a Certifying Officer appointed under the provisions of the Certifying Officers Law, 1888, and shall be enrolled in the office of the Registrar of the Supreme Court.

Enrolment of deeds, etc.

(2) Such enrolment shall be effected by the depositing of a duplicate of the same deed, will or other instrument with the Registrar of the Supreme Court and the making by him of an entry of such deposit in a book to be kept for that purpose.

R. & R.
by Law 14/4/3.

(3) A certificate by the Registrar indorsed or written on a duplicate of such deed will or other instrument that a duplicate thereof has been deposited and the proper entry made shall without further proof be sufficient evidence of such enrolment.

(4) A copy of any such deed, will or other instrument certified under the hand of the Registrar and the seal of the Supreme Court to be a true copy shall be received as evidence of the contents and of the enrolment of the same deed, will or other instrument.

13.—(1) Every trust of a charitable nature may be enforced at the suit of the King's Advocate.

Power of King's Advocate to enforce trusts.

(2) All proceedings instituted against the trustees of a charity shall be under the control of the King's Advocate, who may at any time stay such proceedings or compromise matters in dispute.

14. All proceedings under the last preceding section relating to the enforcement or execution of charitable trusts created by deed, will or other instrument shall be determined by the Supreme Court who in the exercise of this jurisdiction shall apply English Law.

Jurisdiction of Supreme Court.

15. The High Commissioner, with the advice and assistance of the Chief Justice, may from time to time by writing under the hand and official seal of the High

Power to make Rules of Court.

See Gazette
1932/p. 209

Commissioner and the hand of the Chief Justice make Rules of Court for the better execution of the Law and in particular :—

(a) For regulating the pleading, practice and procedure of the Supreme Court.

(b) For regulating and prescribing the fees to be taken or charged by the Registrar of the Supreme Court.

(c) For regulating and prescribing the fees to be taken by advocates.

Date of coming into operation.

16. This Law shall come into operation on a date to be fixed by the High Commissioner by notice in the *Cyprus Gazette*.

This Law was published in the Cyprus Gazette No. 1684 of the 27th March, 1925.

8 OF 1925.

A.D. 1925. TO APPROPRIATE AN ADDITIONAL SUM NOT EXCEEDING
8 of 1925. ELEVEN THOUSAND THREE HUNDRED AND SIXTY POUNDS TO THE SERVICE OF THE GOVERNMENT OF CYPRUS.

MALCOLM STEVENSON.]

[April 28, 1925.]

WHEREAS it is expedient to make provision for certain expenses of the Government of Cyprus, which are not already lawfully provided for or shall not hereafter be provided for by any Law.

BE it therefore enacted :—

Short title.

1. This Law may be cited as the Surplus Balance Appropriation, No. 2, Law, 1925.

Appropriation of £11,360 for twelve months ending 31st Dec., 1925.

2. There shall be issued and applied during the period of twelve months ending the thirty-first day of December, 1925, to the service mentioned hereunder an additional sum not exceeding the sum of eleven thousand three hundred and sixty pounds for defraying the service herein declared. The said amount shall be appropriated as follows :—

Public Works Department :	£
Roads	11,360
Total ..	<u>£11,360</u>

This Law was published in the Cyprus Gazette No. 1690 of the 30th April, 1925.