

(14) A weekly payment shall not be capable of being assigned, charged or attached, and shall not pass to any other person by operation of law, nor shall any claim be set off against the same.

SECOND SCHEDULE.

The Mines Regulations Law, 2 Shaban, 1285	Articles 61 to 67, inclusive
The Excavations Law, 1919.	The whole Law

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of the 30th April, 1925.*

13 OF 1925.

A.D. 1925.
13 of 1925.

TO AMEND THE LAW RELATING TO MALICIOUS INJURY TO PROPERTY.

MALCOLM STEVENSON.]

[April 29, 1925.

BE it enacted:—

Short title.

1. This Law may be cited as the Malicious Injury to Property (Amendment) Law, 1925, and shall be read as one with the Malicious Injury to Property Law, 1923, (hereinafter referred to as the Principal Law), and the Principal Law and this Law may together be cited as the Malicious Injury to Property Laws, 1923 and 1925.

Amendment
of Law 20 of
1923, sec. 2
(a).

2. The Principal Law, section 2 (a), is hereby amended by the addition thereto of the following proviso:—

Provided that a person who has ceased to reside in a village shall not be deemed to be a tax-paying inhabitant.

Amendment
of Law 20
of 1923, sec.
2 (c).

3. The Principal Law, section 2 (c), is hereby amended by the deletion of the word "owner" and the substitution therefor of the word "occupier."

Repeal of
Law 20 of
1923, sec.
2 (d).

4. The Principal Law, section 2 (d), is hereby repealed.

Amendment
of Law 20
of 1923, sec.
6 (4) (a).

5. The Principal Law, section 6 (4) (a), is hereby amended by the addition after the word "payment" of the words "from a counterfoil book to be furnished to him by the Commissioner of the District."

6. The Principal Law, section 6 (4) (c), is hereby repealed and in place thereof the following sub-section shall have effect :—

Repeal of Law 20 of 1923, sec. 6 (4) (c), and substitution of new sub-section.

6.—(4) (c) In the event of the non-payment of the whole amount aforesaid the Mukhtar shall pay to the complainant the amounts so received by him and in the event of any legal proceedings being taken by the complainant for the recovery of the balance the Mukhtar shall, within twenty days of the institution of such legal proceedings, forward to the Court before which such legal proceedings are being taken a list showing the names of the persons by whom such amounts have been paid.

7. The Principal Law, section 6 (6), is hereby amended by the deletion in line 5 of the word "District."

Amendment of Law 20 of 1923, sec. 6 (6).

8. The Principal Law, section 7, is hereby repealed and in place thereof the following section shall have effect :—

Repeal of Law 20 of 1923, sec. 7, and substitution of new section.

7.—(1) In the event of the Mukhtar and Commission or their representative being unable to agree with the complainant as aforesaid the amount payable as compensation in respect of the said damage or destruction or in the event of an agreement as in section 6 (1) hereof mentioned the Mukhtar fails to comply with the provisions of sub-sections 6 (1) (2) and (3) or any of them, the complainant may file a petition in the Court within the jurisdiction of which the village or one of the villages is situate against the tax-paying inhabitants of such village.

If no agreement arrived at.

(2) A list of the names of such tax-paying inhabitants shall be prepared by the Mukhtar as in section 6 (1) hereof mentioned and furnished to the complainant within fifteen days from the date of the receipt of the notice referred to in section 3 but failure on the part of the Mukhtar to furnish such list as aforesaid shall not prevent the complainant from the prosecution of his claim.

(3) The petition shall state the nature and particulars of the damage and shall pray for the issue of an order that the tax-paying inhabitants mentioned in the petition do pay compensation therefor and for a day to be fixed for the hearing of the petition.

Repeal of Law 20 of 1923, sec. 8, and substitution of new section.

9. The Principal Law, section 8, is hereby repealed and in place thereof the following section shall have effect :—

Date to be fixed and notice to be served.

8. The Court shall thereupon fix a day for the hearing of such petition, and the complainant shall serve a copy of the petition and a notice of the day fixed for the hearing thereof upon the Mukhtar of the said village and shall post a copy of the petition together with a list of the names of the persons against whom such petition has been filed and a notice of the day fixed for the hearing not less than ten clear days before the hearing of the petition.

Amendment of Law 20 of 1923, sec. 9.

10. The Principal Law, section 9, is hereby amended by the deletion in line 1 of the word "District", and the deletion in lines 10 and 11 of the words "by the tax-paying inhabitants of the village" and the substitution therefor in line 10 of the words "and the names of such of the tax-paying inhabitants of the village as are found by the Court to be liable to pay such compensation and costs as aforesaid."

Repeal of Law 20 of 1923, sec. 10, and substitution of new section.

11. The Principal Law, section 10, is hereby repealed and in place thereof the following section shall have effect :—

Appeals.

10. Every judgment or order under the provisions of section 9 shall be subject to appeal if made by a Village Judge Court in accordance with the rules and procedure regulating appeals from a Village Judge Court and if made by a District Court to the Supreme Court within thirty days of the date of the judgment or order appealed against.

Repeal of Law 20 of 1923, sec. 11 (1), and substitution of new sub-section.

12. The Principal Law, section 11 (1), is hereby repealed and in place thereof the following sub-section shall have effect :—

Order of Court upon tax-paying inhabitants.

11.—(1) After the expiration of the time limited for the making of an appeal as provided in section 10, or after the hearing of such an appeal the Court shall, upon the application of the petitioner, issue an order (hereinafter called the Compensation Order) allocating the amount of compensation and costs, and the fee which

is payable to the Mukhtar, equally among such of the tax-paying inhabitants of the said village whose names appear in the order mentioned in section 9 hereof, and calling on all persons named therein within thirty days of the Compensation Order to pay to the Mukhtar the amount to be declared to be payable by them, and the Mukhtar on the expiration of the thirty days aforesaid, shall forthwith pay into Court the amount so received by him, together with a list of the persons by whom such amounts have been paid.

13. The Principal Law, section 11, is hereby amended by the addition thereto of the following sub-section :—

Amendment of Law 20 of 1923, sec. 11.

11.—(3) The Court shall on the making of such Compensation Order as aforesaid cause a copy of the same to be furnished to the Mukhtar, who shall forthwith post a copy of the same in the village and on receipt of such sums as are mentioned in the said order shall issue a receipt in respect thereof from the counterfoil book in section 6 (4) (a) hereof mentioned.

14. The Principal Law, section 12, is hereby repealed and in place thereof the following section shall have effect:—

Repeal of Law 20 of 1923, sec. 12 and substitution of new section.

12.—(1) Upon the expiration of the time limited for the payment of the amounts specified in the Compensation Order the Mukhtar shall furnish the Police with a list of the names of the persons who have made default in the payment of such amounts as aforesaid.

Proceedings against mal-tax-paying inhabitants.

(2) Upon the receipt of such list of defaulters as in sub-section (1) hereof mentioned, such persons (if any) who are male tax-paying inhabitants shall be summoned by the Police before the Court, and upon proof of non-payment the Court shall order the imprisonment of such persons for one day for every three piastres of the amount which is not paid as aforesaid and of the amount of any costs of the proceedings. Provided always that the Court may refuse to make any order of imprisonment against any person suffering from mental or bodily infirmity.

(3) The Court may upon cause shown extend the period for payment to such period as it shall think fit and may cancel or vary an order of imprisonment made under the provisions of sub-section (2) hereof as it thinks just to meet the circumstances of the case.

Amendment
of Law 20 of
1923, sec. 13
(1).

15. The Principal Law, section 13 (1), is hereby amended by the deletion of the words "into Court" and the substitution therefor of the words "to the Mukhtar."

Amendment
of Law 20 of
1923, sec. 13
(2).

16. The Principal Law, section 13 (2), is hereby amended by the deletion in line 1 of the word "District."

Repeal of
Law 20 of
1923, sec. 13
(3).

17. The Principal Law, section 13 (3), is hereby repealed.

Amendment
of Law 20 of
1923, sec. 13
(4).

18. The Principal Law, section 13 (4), is hereby amended by the deletion of the words "A district" and the substitution therefor of the word "The."

Repeal of
Law 20 of
1923, sec. 14.

19. The Principal Law, section 14, is hereby repealed.

Amendment
of Law 20 of
1923, sec. 15.

20. The Principal Law, section 15, is hereby amended by the addition thereto of the following proviso:—

Provided always that

(a) when a village contains more than one church or mosque, such notices or orders shall be posted upon the door of every church or mosque within the village;

(b) when a village contains neither church nor mosque it shall be sufficient if such notices or orders are posted in some conspicuous place within the village.

Provisions in
case where
both Chris-
tian and
Moslem
Mukhtar.

21. When there is both a Christian and Moslem Mukhtar in any village or quarter, the Mukhtar to perform the duties and receive the fees under this Law shall be the Mukhtar of the community to which the petitioner belongs.

Procedure
where the
offender is
discovered

22. If at any time after the issue by the Court of an order allocating the amount of compensation and costs among the tax-paying inhabitants of a village, the person or persons who have committed or caused the damage shall be discovered, the amount so payable by the said inhabitants (whether the same or any part thereof has been actually paid or no) may be recovered from such person or persons by the Village Commission, by an action before a Court of competent jurisdiction; and shall be paid to the said inhabitants who have paid or are liable to pay it.

Jurisdiction
of Village
Judge.

23.—(1) Every Village Judge shall have jurisdiction to hear and determine actions in respect of the claim of any person for compensation under this Law, or any amendment thereof where the respondent or any respondent to the petition is situated within such judicial division and where the amount of such claim is not more than £10.

(2) Where the President or an Ordinary Judge of the District Court is sitting as Village Judge he shall within the local jurisdiction of the District Court have jurisdiction similar to that given by the previous sub-section hereof to any Village Judge.

Provided that in the case of any Judge of the District Court the limit of claim shall in all cases be £20 instead of £10 and that the Court of local jurisdiction shall be the local jurisdiction of the District Court and not the judicial division.

24. Where proceedings have been instituted in virtue of any Law which is now repealed, relating to claims in respect of Malicious Injury to Property, but no order allocating the compensation and costs has been made, then and in every such case such order shall be made under and in accordance with the provisions of the Principal Law.

Proceedings
under pre-
vious Laws
now repealed

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14 OF 1925.

*Repealed by
Law 260/1935*

TO AMEND THE LAW WITH REGARD TO THE
CONSTRUCTION OF LAWS.

A.D. 1925.

14 of 1925.

MALCOLM STEVENSON.]

[May 1, 1925.]

BE it enacted:—

1. This Law may be cited as the Interpretation (Amendment) Law, 1925, and shall be read as one with the Interpretation Law, 1901, (hereinafter referred to as the Principal Law), and the Principal Law and this Law may together be cited as the Interpretation Laws, 1901 and 1925.

Short title.

2. The Principal Law, section 6, is hereby amended by the deletion of the word "Chief" and the substitution therefor of the word "Colonial" and by the addition thereto of the following sub-sections:—

Amendment
of Law 10 of
1901, sec. 6.

(16) The expression "Attorney-General" means the Attorney-General to the Government of Cyprus for the time being.

(17) The expression "Treasurer" means the Treasurer to the Government of Cyprus for the time being.