

No. 19 OF 1931.

A.D. 1931. A LAW TO CONSOLIDATE AND AMEND THE LAW WITH  
19 of 1931. RESPECT TO THE APPOINTMENT OF MUKHTARS AND  
AZAS AND THE REGULATION OF THE DUTIES THEREOF.

RONALD STORRS.]

[30th November, 1931.

BE it enacted:—

Short title. 1. This Law may be cited as the Village Authorities Law,  
1931.

Interpreta- 2. In this Law:  
tion, "Commissioner" means the Commissioner of the  
district in which the village or quarter is situated.

Appoint- 3. Upon the commencement of this Law one mukhtar and  
ment of four azas from among the Christian community and one  
mukhtars mukhtar and four azas from among the Moslem community  
and azas. shall respectively be appointed by the Governor for every  
village or quarter to serve as village Commissions in such  
village or quarter:

Provided that where in any village or quarter there is a  
mixed population of Christians and Moslems and one section  
of such population does not, according to the latest census  
or latest periodical census, number at least thirty inhabi-  
tants the Governor shall appoint one mukhtar and four  
azas for the whole village or quarter to serve as a village  
Commission in such village or quarter.

Appoint- 4. Notwithstanding anything in this Law contained a  
ment in mukhtar and azas may be appointed by the Governor at  
case of any time when their appointment is rendered necessary by  
emergency. reason of the formation of any new village or quarter or by  
any emergency not otherwise by this Law provided for, and  
the mukhtar and azas appointed shall hold office until the  
date when the other mukhtars and azas holding office at  
the time of such appointment shall cease to hold office.

5. Every inhabitant of a village or quarter between the ages of twenty-five and sixty years not being,

Qualifications of mukhtars and azas.

(a) the holder of a religious office, or

(b) the holder of an appointment under the Government of Cyprus, or

(c) a member of any municipal or administrative council, or

(d) an advocate or medical practitioner or schoolmaster actually practising his profession, or

(e) a person who within ten years of the date when his appointment but for the provisions of this paragraph, would take effect has been,

(i.) convicted of any crime and has undergone in respect thereof a term of imprisonment exceeding one year, or

(ii.) convicted of any offence under the provisions of this Law, or

(iii.) dismissed by the Governor from the office of mukhtar or aza,

shall be qualified and liable to serve as a mukhtar or aza therein.

6. The mukhtar and azas appointed under section 3 of this Law shall hold office until the first day of December, 1933. On such date and thereafter on the first day of December in every second year the Governor shall appoint mukhtars and azas in accordance with the provisions of section 3 of this Law:

Term of office of mukhtars and azas.

Provided that if at any time any mukhtar or aza shall become disqualified to hold or shall be dismissed from his office or shall resign his office with the consent in writing of the Governor, he shall thereupon cease to be a mukhtar or aza.

7. The Governor may dismiss any mukhtar or aza,

(a) for misconduct or neglect of duty, or

(b) if he shall for any reason become, in the opinion of the Governor, incapable of efficiently performing the duties of his office.

Dismissal of mukhtars or azas.

Filling  
vacancies.

8. If any mukhtar or aza shall die or if any vacancy in the office of mukhtar or aza shall occur by reason of the provisions of this Law the Governor shall proceed to fill such vacancy by appointing another qualified person to serve as mukhtar or aza and the mukhtar or aza so appointed shall hold office until the date when the other mukhtars and azas holding office at the time of such appointment shall cease to hold office.

Swearing of  
mukhtar.

9.—(1) Every person duly appointed to serve as mukhtar of a village or quarter shall, on a day to be named by the Commissioner, as early as conveniently may be after such appointment, attend at the office of the Commissioner, and shall in the presence of such Commissioner take the following oath, according to the form prescribed by his religion, that is to say :—

“I, A.B., do swear faithfully to serve His Majesty King George V., His heirs and successors in the performance of my duties as mukhtar of \_\_\_\_\_ during my term of office.”

(2) Every person duly appointed to serve as mukhtar of any village or quarter who shall be duly summoned to be sworn and take upon him the said office and who shall refuse or without reasonable cause to be allowed by the Governor, shall neglect to attend and be sworn shall be guilty of an offence and shall on summary conviction be liable to imprisonment for any term not exceeding six months or to a fine not exceeding ten pounds or to both such imprisonment and fine.

Duties and  
rights of  
mukhtars.

10. It shall be the duty and right of every mukhtar—

(a) To keep the peace within the village or quarter of which he is the appointed mukhtar ;

(b) To send information as soon as possible to the nearest police station of every serious offence or accident occurring in his village or quarter ;

(c) To assist the officers of the Government in the collection of the revenue ;

(d) To publish within his village or quarter all such notices, proclamations and other official documents as may be sent to him by the Commissioner or by the mudir of the nahieh for that purpose ;

(e) To execute all such writs of execution as may be delivered to him by or on behalf of the Sheriff for that purpose ;

(f) Subject to his obtaining a certificate from the Director of Land Registration and Surveys of his fitness for the duties of an auctioneer and to giving financial security to the satisfaction of the Director of Land Registration and Surveys, to conduct all sales on execution of immovable property in his village or quarter :

Provided that—

(i) When the owner of the immovable property to be sold belongs to the Christian community, the qualified Christian mukhtar shall conduct the sale, and when the owner of the immovable property to be sold belongs to the Moslem community, the qualified Moslem mukhtar shall conduct the sale ;

(ii) Where there is no qualified mukhtar in a village or quarter the sale shall be conducted by the qualified Christian or Moslem mukhtar, as the case may be, of the nearest village or quarter in the district ;

(iii) Where the qualified Christian or Moslem mukhtar, as the case may be, in a village or quarter is ill or unavoidably absent from his village or quarter and is thereby prevented from conducting a sale, such mukhtar or the aza appointed by him to perform his duties shall give notice in writing of such illness or absence to the qualified Christian or Moslem mukhtar, as the case may be, of the nearest village or quarter in the district, who shall then conduct such sale at the time and place originally fixed therefor.

(g) To carry into effect the duties imposed upon him by the Births and Deaths Registration Laws, 1895 and 1928 ;

(h) To keep a seal as mukhtar and to affix the same to all certificates and documents requiring the seal ;

(i) To wear a badge in the form to be prescribed by the Governor ;

(j) To report to the Principal Land Registry Officer of his district the death of any person possessed of or beneficially interested in immovable properties, together with a list of such properties and the heirs left by the deceased ; and to report the failure of heirs entitled to inherit such properties : Provided always that no mukhtar shall be disqualified by reason of his office from having a right to obtain such remuneration for giving such information as aforesaid as any other person might be entitled to ;

(k) To provide on prepayment quarters, food and forage when required for any officer of the Government travelling in execution of his duty at prices to be fixed from time to time by the Mejliss Idaré of the district ;

(l) To report to the proper local authority every case which shall come to his knowledge of the use of false or unjust weights or measures, the use of which is prohibited by law ;

(m) To give information to the Commissioner or to the mudir of the nahieh or a police constable of the outbreak of any contagious or infectious disease or any suspected contagious or infectious disease among people or cattle ;

(n) To furnish any certificate about movable or immovable property when there is no impediment justifying the refusal to give such certificate ; and

(o) Generally, to carry into effect all duties imposed upon or confided to him by law or custom.

Duty of aza.

11. It shall be the duty and right of an aza to carry into effect all duties imposed upon or confided to him by law or custom.

Refusal or wilful neglect to act by mukhtar or aza.

12. Every person duly appointed to serve as mukhtar or aza of any village or quarter who shall,

(a) refuse or wilfully neglect to act in execution of his office ; or

(b) refuse or wilfully neglect to carry out any of the duties imposed upon or confided to him under the provisions of this Law,

shall be guilty of an offence and shall on summary conviction be liable to imprisonment for any term not exceeding six months or to a fine not exceeding ten pounds or to both such imprisonment and fine without prejudice to any other remedy against him for such refusal or wilful neglect.

Mukhtars to have the powers of a constable.

13. Every mukhtar shall have, within the district in which his village or quarter is situate, all such power, authorities, protections and privileges as belong to a constable as defined by clause 2 of the Cyprus Courts of Justice Order, 1927, but shall not be bound to act as a constable beyond the village or quarter for which he is appointed without the special warrant of a Magisterial Court.

For the purposes of this section the word "village" shall include the whole of the lands appertaining to each village.

14. Every person who shall without good and sufficient cause refuse or neglect when called upon to aid and assist a mukhtar in the execution of his duty in keeping the peace or in the lawful arrest of any criminal or suspected person shall be liable for each such offence to a fine not exceeding three pounds.

All persons to assist the mukhtar in keeping the peace.

15. The mukhtars appointed under this Law shall be entitled to receive the fees specified in the first schedule to this Law, in respect of the several matters therein mentioned, and no mukhtar shall be entitled to demand any fee that is not prescribed by this or any other Law ; and any mukhtar receiving or so demanding such a fee or knowingly furnishing a false certificate shall be liable for each such offence to a fine not exceeding ten pounds, without prejudice to any other penalty which he may have incurred.

Payment of mukhtars and penalty.

16.—(1) Where there is both a Christian and Moslem mukhtar in any village or quarter, the mukhtar to perform the duties and to receive the fees referred to in the Recovery of Compensation for Injury to Property Law, 1930, shall be the mukhtar of the community to which the complainant belongs.

Provisions in cases where both Christian and Moslem mukhtar.

(2) In the case of a sale of animals, as defined by the Cattle Certificate Law, 1889, the mukhtar to issue the certificate (unless the parties otherwise agree) shall be the mukhtar of the community to which the vendor belongs.

(3) In the case of certificates given by mukhtars or by village commissions such certificates shall be given by the mukhtar or village commission of the community to which the applicant belongs.

(4) Except where otherwise provided, where there is a Christian and a Moslem commission in any village or quarter the combined commissions shall be the village commission for the purpose of performing any duty or discharging any obligation imposed by law on a village commission, and where any dispute arises as to which mukhtar ought to discharge the duties by law assigned to the mukhtar the dispute shall be referred to the Commissioner, whose decision thereon shall be final : Provided always that for the purposes of the Births and Deaths Registration Laws, 1895 and 1928, each mukhtar shall be the registrar for his own community.

17. The Governor may provide for the formation of new quarters in any town or village and vary the number of quarters in any town or village and fix or alter the boundaries of any town, village or of the quarters of any town or village.

Governor may alter boundaries of town, village or quarters.

Rules and regulations.

18.—(1) The Governor in Council may make rules and regulations for carrying into effect the provisions of this Law.

(2) In particular and without prejudice to the generality the foregoing power, such rules or regulations may—

(a) Prescribe the mode of taking the periodical census referred to in section 3 of this Law ;

(b) Provide for the imposition on offenders against any rules or regulations made under this Law of penalties not exceeding one pound for each offence.

Mukhtars and azas under existing laws to cease holding office.

19. Upon the commencement of this Law all mukhtars and azas appointed under any of the Laws hereby repealed shall forthwith cease to be mukhtars and azas without prejudice to anything done or left undone by such mukhtars and azas during the period of their office under the appointment as aforesaid.

Date of coming into operation, repeal and saving.

20. This Law shall come into operation upon a date to be fixed by notice by the Governor in the *Cyprus Gazette* and thereupon the laws set out in the second schedule to this Law shall be repealed to the extent specified in the third column of that schedule :

Provided that all rules or regulations made under the provisions of any of such repealed law shall remain in full force and effect until varied or revoked by rules or regulations made under the provisions of this Law.

## FIRST SCHEDULE.

### FEEES.

I.—In the execution of any writ of execution on behalf of the sheriff :—

(a) Where the total amount bid for all the property sold does not exceed ten shillings ..

$4\frac{1}{2}cp.$

(b) Where it exceeds ten shillings

{ A fee at the rate of  $2\frac{1}{2}$  per centum on the amount bid, provided that the minimum fee be 1s.

II.—For posting notices in connection with any sale of immovable property and for conducting such sale .. .. .

{ Such fees as may be from time to time prescribed by any Rules of Sale made under the Civil Procedure Law, 1885, or otherwise.

- III.—For every certificate given under the provisions of the Cattle Certificate Law, 1889 :—  
 For each certificate for each animal . . . . . 1cp.  
 For each certificate after the first ten certificates given at the same transaction . . . . ½cp.
- IV.—For reporting a death to the Registrar of the District Court under the provisions of the Infants' Estates Administration Law, 1894 . . . . . } 5s., to be paid out of the estate of the deceased.
- V.—On affixing his seal to any certificate relating to movable or immovable property . . . . } At the discretion of the mukhtar, a fee not exceeding 1s.
- VI.—For reporting under the provisions of section 10 (j) the death of persons possessed of, or beneficially interested in, immovable property, etc. . . . . } 4½cp. to be paid out of the estate of the deceased.

SECOND SCHEDULE.

No. and year.	Short title.	Extent of repeal.
18 of 1923	The Village Authorities Law, 1923 . . . . .	The whole.
38 of 1928	The Village Authorities (Amendment) Law, 1928	The whole.
22 of 1930	The Village Authorities (Amendment) Law, 1930	The whole.

*This Law was published in the Cyprus Gazette No. 2181 of the 30th November, 1931.*

## No. 20 OF 1931.

A.D. 1931. A LAW TO CONTINUE IN OPERATION THE MUNICIPAL  
CORPORATIONS (MOTOR OMNIBUSES) LAW, 1930.

20 of 1931.

RONALD STORRS.] [21st December, 1931.

BE it enacted:—

Short title. 1. This Law may be cited as the Municipal Corporations  
(Motor Omnibuses) Continuance Law, 1931.

Continuance  
of Law 35 of  
1930.

2. Notwithstanding anything contained therein, the  
Municipal Corporations (Motor Omnibuses) Law, 1930,  
shall continue in force until the 31st day of December, 1932.

Date of  
coming into  
operation.

3. This Law shall come into operation as from the 1st  
day of January, 1932.

*This Law was published in the Cyprus Gazette No. 2187  
of the 21st December, 1931.*

## No. 21 OF 1931.

A.D. 1931. A LAW TO MAKE PROVISION FOR CERTAIN PAYMENTS.

21 of 1931.

RONALD STORRS.] [21st December, 1931.

WHEREAS disturbances have occurred in Cyprus and  
damage has been done and expense has been  
incurred in consequence thereof:

AND WHEREAS such damage and expense amounts in  
the aggregate to thirty-four thousand three hundred and  
fifteen pounds:

AND WHEREAS it is expedient that provision be made  
for the payment of the said sum:

BE it enacted:—

Short title. 1. This Law may be cited as the Reparation Impost  
Law, 1931.

Imposition  
of impost.

2. There shall be paid to the Treasurer on or before the  
thirtieth day of June, 1932, by the towns and villages set  
out in the first schedule to this Law the amount appearing  
against such town or village in such schedule:

Provided that the Governor may reduce all or any of  
such amounts or direct that any such amount may be paid  
by instalments.

Levying and  
collection of  
impost.

3.—(1) The amount payable by each town and village  
shall be levied upon and collected from the Orthodox-  
Christian inhabitants thereof in accordance with the  
provisions of the sections following: