

4. Sub-section (1) of section 5 of the principal Law (as set out in Law 22 of 1934) is hereby repealed and the following sub-section substituted therefor:—

Repeal of section 5 (1) of the principal Law and substitution of new sub-section.

“(1) Any person who acts in contravention of sub-section (1) or (2) of section 4 or in contravention of section 7 or who fails to comply with or deviates from any of the terms, conditions or restrictions of any licence granted under this Law shall be guilty of an offence and shall be liable to imprisonment not exceeding twelve months or to a fine not exceeding one hundred pounds or to both and the court trying the offence may order that any apparatus, the property of the accused, in respect of which the offence had been committed shall be forfeited.”

5. Section 7 of the principal Law is hereby amended by the deletion therefrom of the words “the High Commissioner in Council” whenever they occur and the substitution therefor of the words “the Governor”.

Amendment of section 7 of the principal Law.

6. Any licence granted under the provisions of the principal Law and subsisting on the date of the coming into operation of this Law shall be valid and effective as if granted under the principal Law as amended by this Law.

Subsisting licences to be valid and effective.

H. G. RICHARDS,

Acting Colonial Secretary.

31st August, 1948.

No. 28 OF 1948.

A LAW TO AMEND AND CONSOLIDATE THE LAWS RELATING TO THE LICENSING OF SHEPHERDS AND TO MAKE PROVISION FOR THE BETTER CONTROL OF FLOCKS.

WINSTER,]

Governor.

[2nd September, 1948.

BE it enacted by His Excellency the Governor and Commander-in-Chief of the Colony of Cyprus as follows:—

1. This Law may be cited as the Sheep and Goats (Shepherds' Licensing and Control) Law, 1948. Short title.

Interpre-
tation.

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

“animal” means any sheep or goat but does not include their unweaned offspring;

“Commissioner” means the Commissioner of the district;

“enclosure” means any field, mandra, yard or any other place so fenced as to prevent any animal therein from getting out of the same;

“flock”, except where by a notice made under subsection (2) of this section it is otherwise directed, means a flock consisting of six or more animals.

(2) The Commissioner may, by notice published in the *Gazette*, direct that in the application of this Law to any area specified in such notice, “flock” shall mean a flock of three or more animals and, whilst such notice remains in force, the term flock shall, in relation to the area specified in the notice, be read and construed accordingly.

3. No person shall have in his charge or control any flock outside an enclosure unless such person—

(a) is the holder of a licence issued by the Commissioner (hereinafter referred to as the “shepherd’s licence”); and

(b) wears a badge of such form and in such manner as the Governor may prescribe.

No person
to be in
charge of
flock outside
an enclosure
without
a licence
and badge.

Shepherd’s
licence.

4.—(1) Any person who desires to obtain a shepherd’s licence shall make an application in writing to the Commissioner specifying his name, age, residence and the maximum number of animals in respect of which he wishes to obtain such licence.

(2) On receipt of such application, the Commissioner may, in his discretion, but subject to the provisions of section 8 of this Law, issue a licence in the Form A in the Schedule hereto specifying the number of animals, not exceeding eighty, in respect of which the licence is granted:

Schedule
Form A

Provided that the Commissioner may, in his discretion, by an endorsement on a shepherd’s licence, increase the number of animals specified therein for such period and in respect of any specified area or locality and on such terms and conditions as to him may seem fit but such endorsement may be revoked by the Commissioner at any time.

(3) The Commissioner shall register every shepherd’s licence issued by him in a book to be kept for the purpose, wherein he shall enter the particulars contained in such licence.

(4) A fee of two shillings shall be paid in respect of a shepherd’s licence.

5.—(1) Notwithstanding anything in this Law contained, the mukhtar of the village within the lands of which a shepherd resides for the time being, may issue to any person, otherwise qualified to hold a shepherd's licence under the provisions of this Law, a temporary permit in the form B in the Schedule hereto for any period not exceeding one week authorizing such person to be in charge of a flock consisting of such number of animals as may be specified in the permit during the temporary absence of the licensed shepherd who is ordinarily in charge of such flock.

Temporary permits.

Schedule Form B

(2) A fee of one shilling shall be paid in respect of a temporary permit.

6. If any shepherd's licence shall be destroyed, defaced or lost the Commissioner if satisfied as to the destruction, defacement or loss shall, upon payment of two shillings, supply the person in whose name the shepherd's licence had been issued with a duplicate of such licence and such duplicate shall have the same force and effect as the original licence :

Destruction, etc., of shepherd's licence.

Provided that the Commissioner may, at any time after the expiration of two years from the date of the issue of any shepherd's licence, issue to the holder of such licence a new shepherd's licence free of any charge.

7. A shepherd shall, at all times, carry his shepherd's licence, or permit issued under section 5 of this Law, and shall, when requested to do so, produce the same for inspection to any officer of the District Administration, police officer, mukhtar or rural constable.

Shepherd to carry and produce licence or permit.

8.—(1) No person shall be granted a shepherd's licence who is under sixteen years of age.

No licence to persons under sixteen.

(2) Any shepherd's licence, granted by mistake to any person who is under sixteen years of age, shall be void and of no effect.

9. The Commissioner may, at any time, cancel or suspend any shepherd's licence or reduce the number of animals in respect of which such licence was granted.

Cancellation, etc., of shepherd's licence.

10. Any person aggrieved by—

(a) the refusal of the Commissioner to grant a shepherd's licence ;

Appeals to the Governor.

(b) the cancellation by the Commissioner of a shepherd's licence ;

(c) the suspension by the Commissioner of a shepherd's licence for any period exceeding two months ; or

(d) the reduction of the number of animals in respect of which the shepherd's licence was granted to less than one-half of the number specified in such licence,

may, within fifteen days from the date of notification of the decision of the Commissioner upon any matter as in this section mentioned, appeal to the Governor whose decision thereon shall be final and conclusive.

Flocks to be provided with bells.

11.—(1) No flock shall be taken outside any enclosure unless such flock is provided with bells in a proportion of one bell to at least every ten animals.

(2) Any person in charge of a flock which is not provided with bells in accordance with the provisions of sub-section (1) of this section, and the owner of such flock, shall be guilty of an offence and shall be liable to a fine not exceeding ten pounds.

Power to Commissioners to restrict movement of flocks.

12. The Commissioner may, by notice published in the *Gazette*, direct that, as respects any area as may be specified in the notice and for as long as the notice remains in force, flocks shall, between the hours of sunset and sunrise, be kept inside an enclosure and not taken outside an enclosure :

Provided that nothing in any such notice contained shall prevent the driving of any flock, under the proper charge of a licensed shepherd from one village area to another, along any public road, at any hour.

Penalties for certain offences.

13. Any person who—

- (a) acts in contravention of section 3 or 7 of this Law ;
- (b) acts in contravention of a notice under section 12 of this Law ;
- (c) is, outside an enclosure, in charge of any animals in excess of the number of animals specified in his licence or permit ;
- (d) being the holder of a shepherd's licence or of a permit issued under section 5 of this Law and in charge of a flock, leaves such flock unattended outside an enclosure,

shall be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding ten pounds or to both.

Liability of owner of flock in certain cases.

14. If any flock is found outside an enclosure unattended or under the charge of a person other than a person who is the holder of a shepherd's licence or of a permit issued under section 5 of this Law or is found outside an enclosure in contravention of a notice under section 12 of this Law, the owner of such flock, whether any other person has or has not been prosecuted in connection therewith, shall,

unless he establishes to the satisfaction of the court that the flock was so outside an enclosure against his express authority or directions, be guilty of an offence and shall be liable to imprisonment not exceeding three months or to a fine not exceeding ten pounds or to both and the court may order that a part of the flock in respect of which the offence has been committed, not exceeding the one-third thereof, shall be forfeited.

15. Any flock found outside an enclosure unattended or under the charge of any person other than a holder of a shepherd's licence or of a permit issued under the provisions of section 5 of this Law or is found outside an enclosure in contravention of a notice under section 12 of this Law, and any animals found in charge of a holder of a shepherd's licence or a permit issued under the provisions of section 5 of this Law in excess to the number specified in such licence or permit, may be impounded by any rural constable or temporary rural constable and the provisions of Part IV of the Rural Constables Laws, 1932 to 1947, or any Law amending or substituted for the same, shall apply to such flock or animals as if they were a flock or animals impounded under that Law.

Impounding
of flocks.

62 of 1932
52 of 1934
13 of 1937
7 of 1942
19 of 1943
29 of 1944
21 of 1947

16. Nothing in this Law shall apply to any person who—

- (a) at the request and under the personal supervision of a holder of a shepherd's licence or a permit issued under section 5 of this Law, assists him in the keeping or grazing of a flock outside any enclosure ;
- (b) being employed by a butcher, drives a flock purchased by such butcher from the place of purchase to the slaughter-house of the butcher.

Law not to
apply to
certain
persons.

17. Nothing in this Law shall prevent a prosecution under any other Law, but so that a person shall not be punished twice on the same set of facts.

Liability
under other
Law.

18.—(1) The Shepherds' Licensing Laws, 1935 and 1937, are hereby repealed :

Repeal and
saving.
20 of 1935
4 of 1937.

Provided that—

- (a) every licence issued under the provisions of the said Laws and subsisting on the coming into operation of this Law, shall be deemed to have been issued under the provisions of this Law ;
- (b) badges and the manner in which they may be worn prescribed under the said Laws shall be

deemed to have been prescribed under the provisions of this Law.

35 of 1944. (2) Item 17 of the Schedule to the Documents (Special Duty) Law, 1944, is hereby repealed.

SCHEDULE.

FORM A.—(Section 4 (2).)

The Sheep and Goats (Shepherds' Licensing and Control) Law, 1948.

SHEPHERD'S LICENCE.

No..... of
is hereby licensed to be in charge of a flock consisting of not more than *
outside an enclosure.

Dated.....

.....
Commissioner of

* Insert kind and number of animals.

FORM B.—(Section 5).

The Sheep and Goats (Shepherds' Licensing and Control) Law, 1948.

TEMPORARY PERMIT.

No..... of
is hereby authorized to be in charge of the flock ordinarily under the
charge of.....of.....
consisting of *.....
for a period of.....days from to-day outside an enclosure.

Dated.....

.....
Mukhtar of

* Insert kind and number of animals.

H. G. RICHARDS,
2nd September, 1948. Acting Colonial Secretary.