

succeeding years and to pay interest at the rate of _____ per centum per annum on any amounts that may be overdue and in arrear.

In witness whereof the said _____ and _____ as such Mukhtar and Aza as aforesaid have set their hands hereto on behalf of the community of the said village and the said _____ has set his hand by order and on behalf of the said Loan Commissioners.

(Signed)

FORM OF CERTIFICATE BY CHIEF SECRETARY UNDER SECTION FOURTEEN (TO BE ADDED WHERE NECESSARY TO THE ABOVE FORM).

I hereby certify that the above named _____ and _____ have been duly authorized by His Excellency the High Commissioner to execute the above written obligation on behalf of the said village.

(Signed)

Chief Secretary.

PUBLIC OFFICERS' GUARANTEE.

3 OF 1896.⁽¹⁾

TO ESTABLISH IN CYPRUS A PUBLIC OFFICERS' GUARANTEE FUND.

WALTER J. SENDALL.]

[April 25, 1896.

WHEREAS it is expedient to enable Public Officers in the service of the Island who are required to give security for the faithful performance of their duties to furnish such security without inconvenience; And whereof it is expedient for this purpose that a Guarantee Fund should be formed:

BE it therefore enacted:—

Short title.

1. This Law may be cited as the Public Officers' Guarantee Fund Law, 1896.

Interpre-
tation.

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

“Fund” means the fund established by this Law;

“Directors” means the Directors of the Fund established under this Law;

“Office” means an office in the public service of Cyprus the holder of which is required to give security for the faithful performance of his duties;

“Officer” means the holder of an office as defined above.

⁽¹⁾ See Official Security (Immovable Property) Law, 10 of 1917, p. 456.

ESTABLISHMENT OF FUND.

3.—(1.) A fund is hereby established which shall consist of the contributions herein directed to be made and of the interest accruing thereon.

Establishment of Public Officers' Guarantee Fund.

(2.) The fund so established shall be called the Public Officers' Guarantee Fund.

ADMINISTRATION OF FUND.

4.—(1.) The fund shall be under the management of two persons holding office in the public service of Cyprus, to be from time to time appointed by the High Commissioner.

Directors of Fund.

(2.) Such persons shall respectively hold office during the pleasure of the High Commissioner and shall be styled Directors of the Public Officers' Guarantee Fund.

5. The Directors may employ such clerical assistance as may be necessary, and the expense thereby incurred shall be a first charge on the fund.

Clerical assistance.

6. The Receiver-General shall collect all sums due to the fund, and shall deduct from the salary of each officer contributing to the fund the amount due to the fund by that officer.

Collection of contributions.

7. The Receiver-General shall, except as otherwise by this Law provided, pay into the fund, on or before the tenth day of each month, all sums received by him up to the time of making the payment.

Paying of contributions.

8. All moneys received on account of the fund shall be paid into the fund, and no moneys of the fund shall be appropriated or drawn out except on a cheque or order signed by both Directors.

Mode of dealing with moneys of the Fund.

9. The Directors shall from time to time invest the moneys of the fund in Imperial or any Colonial Government Bonds or other securities for the time being approved by the High Commissioner in Council. All investments under this section shall be in such official titles as the High Commissioner may by rule direct.

Investment of funds.

10. The Directors shall cause to be prepared and published in the *Cyprus Gazette*, as soon after the 30th day of June in each year as may be practicable, a full statement showing the working of the fund and all claims thereon, and containing full particulars of all transactions connected with the working of the fund during the twelve months ending on the said 30th day of June.

Annual report of Directors.

GIVING OF SECURITY.

Requiring
officer to
give security.

11. The High Commissioner may require any person in the public service of Cyprus to give security for the faithful performance of his duties, and may from time to time determine the amount for which security is to be given by that person; and the amount from time to time so determined shall be the amount for which security is to be given by that person.

Increase in
amount of
security.

12. The amount so determined shall be deemed to be sufficient security for that officer in any appointment in the public service of Cyprus for which a like amount of security is or may be required; and if any such officer is at any time permanently appointed to an office in respect of which a higher amount of security is required to be given than the amount for which he already contributes to the fund, he shall only be required, in addition to the amount of security he has already given, to contribute on the difference between the amounts.

Entrance fee.

13. Each officer who is in receipt of a salary of one hundred pounds or more on first contributing to the fund in respect of a permanent appointment, shall pay into the fund a fee of one pound sterling, which shall be carried to his credit in the books of the fund. And each officer who is in receipt of a salary of less than one hundred pounds a year shall on first contributing to the fund in respect of a permanent appointment pay into the fund a fee of ten shillings; provided that should he be promoted to an office of more than one hundred pounds a year he shall, on such promotion, pay into the fund a further fee of ten shillings, which shall be carried to his credit in the books of the fund.

CONTRIBUTIONS TO FUND.

Contributions
of officers
giving
security.

14. Every person who is appointed to an office shall pay into the fund, in the manner hereinafter provided, and subject to the terms and conditions contained in this Law or in any regulations framed thereunder, a monthly contribution of one-twelfth part of one per cent. per annum of the amount (not exceeding the sum of one thousand pounds) for which security is required to be given by him.

Power to
require
contributions
from certain
officers.

15. Any person in the public service of Cyprus before the coming into operation of this Law, who was required to give security for the faithful performance of his duties, may be required

by the High Commissioner to give such security by contributing to the fund; and he shall thereupon contribute to the fund as if he had been appointed on the day when he is so required by the High Commissioner to contribute to the Fund: Provided always that the fund shall be in no way liable to make good any amount payable in respect of any act or default of that person done or made before the day on which he actually makes his first payment to the Fund.

16. Every officer contributing to the fund shall be released from all further liability to give security for the faithful performance of his duties, unless the High Commissioner otherwise directs, or unless the sum for which security is required to be given exceeds the sum of one thousand pounds; and in any case where an officer is required to give security, or to give security for any amount in excess of the sum of one thousand pounds, he shall be bound to give such security to the satisfaction of the High Commissioner in Council.

Officer contributing not liable to give further security except in certain cases.

17. Where any person is provisionally appointed to an office he shall pay the same contribution to the fund as if he were permanently appointed; but if the appointment is not confirmed the amount of his contribution to the fund shall be deemed to have been contributed by an acting officer.

Payment of contribution by officer provisionally appointed.

18. When an officer is absent on leave, whether vacation or other leave, his contribution to the fund shall continue to be due and payable by him; but if he is absent on vacation leave no contribution shall be required from the person who is appointed to act for him, in respect of the acting appointment.

Contributions from officers on leave.

19. Where any person is appointed to act for an officer who is absent on leave other than vacation leave, he shall pay in respect of the acting appointment the like contributions to the fund as are required from the holder of the office.

Contributions by persons acting for officers on leave other than vacation leave.

Such contributions shall be computed from the date of the acting appointment, and a monthly contribution shall be required in respect of each month or portion of a month computed from the date aforesaid.

20. All contributions to the fund shall be deemed to be due and payable in advance, and, except as provided in section 35 of this Law, no repayment of any part of the contribution shall be made in respect of any vacation of office during the period for which the contribution is so paid in advance.

Contributions to be payable in advance.

And for whole month in which appointment is made.

21. Where any officer is appointed permanently to an office on any day of the month other than the first, he shall forthwith pay the same contribution to the fund as if he had been appointed on the first day of that month.

Reduction of contributions after five years.

22. Where an officer has held a permanent appointment and has contributed to the fund for a period of five years, his contribution shall from thenceforth be reduced to a monthly contribution of one one-hundred-and-twentieth part of one per cent. upon the amount of security required to be given by him, save and except in the following cases:—

- (1.) Should the amount of the security required from him be increased whether by his acceptance of another permanent appointment or otherwise, the reduction of his monthly contribution to one one-hundred-and-twentieth part of one per cent. shall only apply to the amount of security upon which for five years he has paid a monthly contribution of one-twelfth part of one per cent. per annum.

Provided that as soon as the sum total of such contributions is equal in amount to the sum total of one per cent. per annum for five years, calculated upon the higher amount of security required to be given by him, his monthly contribution shall thenceforward be reduced to one one-hundred-and-twentieth part of one per cent. upon the whole of such higher amount of security.

Resumption of full contributions.

- (2.) Should it appear to the Directors that the fund requires that the contributions should not be reduced, or, if they have been reduced, that the payment of the full monthly, or a portion of the full, contribution of one-twelfth of one per cent. should be resumed, the Directors, may, with the approval of the High Commissioner, direct that no such reduction, as provided in this section (or only a fraction of such reduction) shall thenceforth take place, until such time as they may think fit; and any officer who has ceased to contribute the full amount shall thenceforth recommence to pay the full amount of his contribution upon the security required of him at that time.

Provided that nothing herein contained shall render any contributor liable to repay to the fund the amount of any reduction in his contribution, of which he has already had the benefit under the provisions of this section.

CASE OF DEFAULTING OFFICER.

23.—(1.) Where any officer himself, or, if he is absent on vacation leave, the person appointed to act for him, is in default, of duly accounting or of duly delivering to the public Officer or other person authorized or entitled to receive the same all property which ought to be so delivered, or is otherwise in default, the amount due by the officer or person in default shall be certified by the Receiver-General, and the amount so certified shall be deemed to be due by the officer; and where any person who is appointed to act for an officer who is on leave, other than vacation leave, is in default as hereinbefore mentioned, the amount so certified to be due from him shall be deemed to be due from him alone, and not from the officer for whom he was acting.

Provision where officer is in default.

(2.) A certificate signed by the Receiver-General, stating that the amount specified in the certificate is due to the Government of Cyprus by any person holding an office in the public service of Cyprus shall, without proof of the signature or of any other matter or thing therein contained, be deemed *prima facie* evidence in all Courts of Justice and for all other purposes that the sum so specified is due to the Government of Cyprus by that person.

24. On the application of the Receiver-General, the Directors, if there are sufficient moneys to the credit of the fund to enable them so to do, shall pay to the Receiver-General from the fund the amount certified to be due from an officer in default, unless the amount so certified exceeds the amount for which the officer was required to give security, in which case the Directors shall pay an amount equal to the amount for which security was required from the officer.

Payment of the amount certified to be due by the Officer in default.

25.—(1.) The liability of an officer or person in default for the amount certified to be due by him shall continue, and may be enforced against all or any part of his property in the same manner as if he had not contributed to the fund, and notwithstanding any payment made by the Directors from the fund in respect of the amounts due by the officer.

General liability of officer in default.

(2.) No person, other than the High Commissioner or the Receiver-General, shall be entitled to claim that the amount due by any officer in default shall be paid by the Directors from the fund; and no person, other than the High Commissioner, the Receiver-General, the Directors, or the Queen's Advocate, shall

be entitled to claim that process shall be issued against any officer in default or against his property for the recovery of the amount due by him.

Provision where amount due from officer in default is recovered from him.

26.—(1.) Where the whole or any part of the amount due by an officer in default is recovered from him, if the Receiver-General has received from the fund the whole amount due by the officer, he shall return to the fund an amount equal to the amount recovered from the officer.

(2.) If the Receiver-General has not received from the fund the whole amount, but a part only, he shall repay to the fund any amount he may have in hand, after deducting from the amounts received from both sources the amount due by the officer in default.

Provision where the fund is not sufficient to meet claims.

27. If the moneys to the credit of the fund are not sufficient to pay all amounts certified to be due by officers in default, the Directors shall pay the claims so far as they are able so to do, and for this purpose shall realize all the securities held by them on account of the fund; and the Receiver-General shall thereafter retain all contributions paid to the fund by officers who were contributors at the time when default was made, and appropriate the same in liquidation of the claims until they are fully paid.

The High Commissioner may, if he shall think fit, call upon officers who have ceased to be contributors to the fund to join in making good any loss arising from default made during the period when they were contributors to the fund in such proportions as he may think expedient, but not exceeding, in the case of any one officer, the amount that he might have been required to pay had he continued to be a contributor to the fund.

MISCELLANEOUS PROVISIONS.

Computation of year of fund.

28. The year for the purposes of this fund shall be from the 1st of July in one year to the 30th of June in the next year, both days inclusive.

Income of fund.

29. The interest on investments received within each year shall be deemed to be the income of the fund, and shall be carried to a separate head of account, and all claims against this fund shall be charged to this account.

Whenever the income of any one year, or the accumulated incomes of two or more years, show a surplus, after payment of all claims, of not less than fifty pounds, then nine-tenths of the amount of the surplus shall be carried to the credit of the con-

tributors in the ratio of the amounts then standing to their respective credits, and the remaining one-tenth shall be carried to the credit of the Reserve Fund described in section 33.

30. Where any person other than an officer is appointed to act for an officer, any contributions in respect of the acting appointment shall be carried to the account of the income of the fund and shall be treated accordingly.

Contributions of persons other than officers to be deemed income.

31. Where any officer is appointed to act for another officer, any contributions of the former officer in respect of the acting appointment (less the one-tenth of such contributions) shall be carried to the personal account in the fund of the former officer.

Contributions of officers who act for other officers, how treated.

32. Subject to section 33, contributions from officers holding permanent appointments shall be carried to their respective personal accounts in the fund.

Contributions from permanent officers how to be dealt with.

33. An amount equal to one-tenth part of the contributions of officers, whether holding permanent appointments or otherwise, shall, at the close of each year, be transferred to the credit of a fund to be called the Reserve Fund, from the accounts credited with such contributions respectively.

Payments to Reserve fund.

34. If the moneys to the credit of the income of the fund are not sufficient to pay the claims at any time made on the fund, the Directors shall appropriate to the payment of the claims the amounts then standing in the books of the fund to the credit of the officers, taking and writing off an equal percentage from the

Provisions where income of fund is not sufficient to meet claims becoming due.

Sec. 35 of Law 3 of 1896 (at p. 811) has been repealed and the following substituted therefor:-

35. Where an officer ceases to hold an appointment in the public service of the Colony, in respect of which security is required to be given by him, or dies, the amount appearing in the books of the fund to his credit, as on the 30th of June next following such cesser or death, after taking into account all transactions, and after deducting the proper proportions of the liabilities of the fund for that year, shall be returned by the Directors to him or his representatives; but the Directors, if the state of the fund shall admit, may, before the 30th of June as aforesaid, pay out of the fund to such officer or his representatives, such portion of the amount paid by such officer by way of contribution to the fund, as they may approve.

Vide Law 17 of 1927

tributors in the ratio of the amounts then standing to their respective credits, and the remaining one-tenth shall be carried to the credit of the Reserve Fund described in section 33.

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34. If the moneys to the credit of the income of the fund are not sufficient to pay the claims at any time made on the fund, the Directors shall appropriate to the payment of the claims the amounts then standing in the books of the fund to the credit of the officers, taking and writing off an equal percentage from the amounts standing to each officer's credit. If the whole of such amounts is not sufficient, then the Directors shall appropriate the Reserve Fund, so far as may be necessary, to the payment of the claims.

Provisions where income of fund is not sufficient to meet claims becoming due.

35. Where an officer ceases to hold an appointment in the public service of the Island, in respect of which security is required to be given by him, or dies, the amount appearing in the books of the fund to his credit when the accounts are adjusted, as on the 30th of June next after such cesser or death, shall be returned by the Directors to him or his representatives; but no payment shall be made under this section until the accounts for that year have been duly adjusted and the amount to the credit of the officer, after taking into account all transactions, and after deducting the proper proportions of the liabilities of the fund for that year, has been ascertained and settled.

Return of portion of contributions in certain cases.

Return of
money to
officer.

36. No return of any money paid into the fund shall be made to any officer or his representatives unless and until the Receiver-General certifies that the officer has duly accounted, and is free from liability to the Government.

Limitation of
right of con-
tributor to
fund.

37. No officer contributing to the fund shall be deemed to have any interest in the fund or its management entitling him to take legal proceedings in respect of the fund or its management or against the Directors in respect thereof.

No immunity
against prose-
cution for
fraud, etc.

38. Nothing in this Law; nor any proceedings with respect to any matter therein mentioned, shall be taken in any way to prevent any person from being prosecuted or convicted for any fraud or other offence which he may commit.

Power to
make
regulations.

39. The High Commissioner may, with the advice and assistance of the Directors, from time to time make regulations for the carrying out the provisions of this Law, and for the due and efficient auditing of the accounts of the fund, and from time to time amend, vary, or alter such regulations; and the regulations shall be published in the *Cyprus Gazette* and shall have the same force and effect as if they formed a portion of this Law.

High Com-
missioner to
determine any
question as to
true con-
struction of
this Law.

40. Any question which may arise as to the true construction to be given to any provision of this Law shall be referred for determination to the High Commissioner, whose decision shall be final.

PUBLIC PROCESSIONS.

24 OF 1921.

TO REGULATE PUBLIC PROCESSIONS IN PUBLIC STREETS
OR ROADS.

MALCOLM STEVENSON.]

[June 13, 1921.

Short title.

1. This Law may be cited as the Public Processions Law, 1921.

Public
processions.

2.—(1.) Save under or in pursuance of a permit in writing by the Commissioner granted in manner hereinafter provided, no person shall organise, equip, or take part in any procession in any public street or road in Cyprus.

(2.) This section shall not apply to any funeral, circumcision or marriage procession, except in cases where the High Commissioner may by proclamation so direct.

Permit for
procession.

3.—(1.) The Commissioner may by permit in writing authorize any procession in any public street or road.