

and thereupon or from the date specified by the Governor the person so deputed shall have and exercise such powers and perform such duties subject as aforesaid :

Provided that nothing herein contained shall authorize the Governor to depute any person to make Rules, Regulations or Orders under the power in that behalf conferred upon him by any Law."

3. The Delegation of Powers Law, 1927, is hereby repealed: Repeal and saving.

Provided that all delegations made thereunder shall be valid and effective.

This Law was published in the Cyprus Gazette No. 2253 of the 18th November, 1932.

No. 62 OF 1932. 2005 52/34

A LAW TO MAKE BETTER PROVISION FOR THE APPOINTMENT OF RURAL CONSTABLES AND TO REGULATE THEIR DUTIES AND POWERS.

A.D. 1932.
61 of 1932.

R. E. STUBBS,] [10th December, 1932.
Governor.

BE it enacted :—

Amended by Law 52/34 7/42

PART I.
PRELIMINARY.

1. This Law may be cited as the Rural Constables Law, 1932. Short title.

2. In this Law, unless the context otherwise requires :— Interpretation.
"Animal" means any ass, bull, calf, camel, cow, dog, fowl, gelding, goat, heifer, hog, horse, kid, lamb, mare, mule, ox, pig, rabbit, sheep, sow, steer or any other domestic animal.

"Commissioner" means the Commissioner of the District in which the village or group is situated.

"Group" means two or more adjacent villages which have been formed into a group by notification by the Governor under this Law.

"Group Commission" means a commission formed of the united Village Commissions of two or more villages forming a group.

"Occupier" means the occupier of any land, vineyard, tree or water in the village or group and includes the owner of any flock of sheep or goats or of sheep and goats in the village or group. K

“Produce” means crops, fruit and the yield of flocks of sheep or goats or of sheep and goats.

“Sign” or “signed” or “subscribe” with reference to a person who is unable to write his name includes making his mark.

“Superintendent” ^(a person) means an ~~ex-member of the Cyprus Military Police or a person with previous service as a rural constable~~ appointed by the Commissioner to be the Superintendent of rural constables and temporary rural constables in the District under the provisions of section 30 of this Law.

“Village” includes a quarter thereof.

“Village Commission” means the Mukhtar and Azas of a village.

PART II.

APPOINTMENT OF RURAL CONSTABLES AND ASSESSMENTS.

Governor may by notification direct formation of group.

3.—(1) The Governor may, on the recommendation of the Commissioner, by notification in the *Cyprus Gazette* direct that two or more adjacent villages shall be united into a group, and thereupon the villages specified therein shall form a group for the purposes of this Law.

Mukhtar of Group Commission.

(2) Every such notification may direct that the Mukhtar of any of the Village Commissions forming the Group Commission shall be the Mukhtar of the Group Commission for all or any of the purposes of this Law.

Power to amend, vary or revoke notification.

(3) The Governor may at any time in like manner amend, vary or revoke any such notification.

Every village or group to have a rural constable.

4. In every village or group there shall be a rural constable or rural constables appointed as in this Law provided.

Meeting of Village Commission or Group Commission for appointment of rural constables, etc., and resolution thereat.

5.—(1) The Village Commission of every village, and the Group Commission of every group, shall, on a day to be appointed by the Mukhtar and not later than the 7th day of December in every two years, hold a meeting of their members at which they shall decide by resolution of the majority of the members present—

(a) the number of rural constables required for the village or group;

(b) the amount of the monthly salary to be paid to every rural constable;

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(c) the number of the temporary rural constables, if any, required for any harvest season and the period of duration of such season;

(d) the amount of the monthly salary to be paid to every temporary rural constable;

(e) the building or place to be set apart as a pound for the keeping of animals impounded under this Law;

(f) the rent and cost, if any, required for providing such building or place as a pound;

(g) the name and occupation of every duly qualified person whom such Village Commission or Group Commission appoint:—

(i) as rural constable for a period of two years from the 1st day of January next ensuing; and

(ii) as temporary rural constable, if any;

(h) whether any rural constable or temporary rural constable is required to keep a horse during the period he is holding office.

(2) The monthly salary of every rural constable or temporary rural constable shall not be less than ^{35/-} two pounds and, in case such rural constable or temporary rural constable is required to keep a horse, his monthly salary shall not be less than two pounds and ^{five} ten shillings.

Minimum monthly salary.

(3) Every such resolution shall be reduced into writing and shall be signed and sealed by the Mukhtar and a copy thereof, signed and sealed in like manner, shall be forwarded with all convenient speed through the Superintendent to the Commissioner by the Mukhtar.

Resolution to be in writing and copy forwarded to Commissioner.

S.S. 4 added

6. (1) Every appointment of a rural constable or temporary rural constable made by the Village Commission or Group Commission under the provisions of section 5 (1) (g) of this Law shall be subject to the approval of the Commissioner, and shall not be valid and effective until it has been so approved.

Appointment of rural constable or temporary rural constable to be subject to Commissioner's approval.

(2) Every such approval shall be notified as soon as possible to the Mukhtar by the Commissioner.

Approval to be notified to Mukhtar.

(3) If the Commissioner shall not approve of any such appointment, the Commissioner shall appoint a duly qualified person to be the rural constable or the temporary rural constable of the village or group concerned, and shall notify the appointment to the Mukhtar.

In case of non-approval, Commissioner shall appoint rural constable or temporary rural constable.

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N.S. 4 added
अपेक्षापूर्वक नियुक्ति के लिए
1. अपेक्षापूर्वक नियुक्ति के लिए

Decision by Commissioner on failure of Village Commission or Group Commission to decide matters required to be decided.

7.—(1) Where—

(a) no meeting has been held as provided by section 5 (1) of this Law ; or

(b) a meeting has been held but one or more of the matters required to be decided thereat have not been decided ; or

(c) no copy of the resolution at such meeting has been forwarded to the Commissioner as provided by section 5 (3) of this Law,

the Commissioner shall decide all or any of the matters which are required to be decided by section 5 (1) of this Law, and shall notify such decision to the Mukhtar.

Commissioner's decision valid and effective.

(2) Every such decision of the Commissioner shall be valid and effective as if it were made by the Village Commission or Group Commission concerned.

Assessment and preparation of assessment list.

8.—(1) ~~The Mukhtar in conjunction with the Village Commission or Group Commission concerned shall between the 1st day of February in every year, assess the amount or amounts of money required for the purposes of sub-section (1) (b), (d) and (f) of section 5 of this Law on all the occupiers of the village or group and shall prepare and make a list in triplicate (hereinafter called "assessment list") showing the name and occupation of the occupiers and the amount assessed on each. If for any reason more than three copies of the assessment list are required such copies shall be prepared and made in the like manner.~~ *such number of copies as may be required*

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by

Mode of assessment.

(2) Such assessment shall be made in proportion to the amount of the produce or estimated produce of each occupier in the year to which the assessment relates.

Requisites of assessment list.

(3) Every assessment list shall—

(a) be dated as of the date on which it was made ; and

(b) be signed by the majority of the Village Commission or Group Commission concerned ; and

(c) be signed and sealed by the Mukhtar.

Mode of dealing with copies of assessment list.

(4) The copies of the assessment list shall be dealt with in the manner following, that is to say :—

(a) the first copy thereof shall be retained and kept by the Mukhtar ;

(b) the second copy thereof shall be posted or caused to be posted by the Mukhtar, within three days of its date, in a conspicuous place in the village or group ;

(c) the third copy thereof shall be forwarded by the Mukhtar to the Commissioner within seven days of its date accompanied by a certificate signed and sealed by the Mukhtar to the effect that a copy of the assessment list has been duly posted in the village or group and the date on which it has been so posted.

(5) Any ^{resident occupier} occupier who may feel himself aggrieved by any amount assessed upon him in the assessment list may appeal to the Commissioner within ten days of the posting of the assessment list in the village or group. Every such appeal shall be in writing and shall be signed by the appelland and shall state the grounds on which the assessment is objected to, and a copy of such appeal shall, within the same period, be handed to the Mukhtar by the appelland.

Appeal to Commissioner.

(6) The Commissioner shall as soon as possible proceed to enquire into the justice of the assessment and into any appeals that may have been made.

Enquiry into assessment.

(7) The Commissioner, after such enquiry, shall make such alterations and amendments including the rectification of any omissions in the assessment list, and shall then approve it over his signature and seal, and shall cause a copy of the assessment list so approved to be handed to the Mukhtar.

Approval of assessment list.

(8) The assessment list approved by the Commissioner as in the immediately preceding sub-section provided shall be conclusive evidence that the occupiers named therein are liable to pay the amounts of money therein assessed upon them, and such amount shall be payable as from the date of such approval.

Assessment list to be conclusive evidence of amounts payable.

(9) If the Mukhtar in conjunction with the Village Commission or Group Commission concerned fail to prepare and make or post or forward to the Commissioner the assessment list in manner or within the period in this section provided, the members of such Village Commission or Group Commission (including the Mukhtar thereof) shall be jointly and severally liable to pay the amount or amounts of money required for the purposes of sub-section (1) (b), (d) and (f) of section 5 of this Law, and shall at the request of the Commissioner and within such period of time as he may direct pay the said amount or amounts into the ~~Public Treasury of Cyprus~~. On their failure to do so the Commissioner may recover it by action in a Court of competent jurisdiction.

Joint and several liability of members of Village Commission or Group Commission in certain cases.

X a fund to be called a Rural Constables Fund

Mode of recovering amount paid by Village Commission or Group Commission.

56-10 amended

(10) Where any amount has been paid by a Village Commission or Group Commission as in the immediately preceding sub-section provided, such Village Commission or Group Commission may, with the leave of the Commissioner, assess the amount so paid on the occupiers of the village or group, and upon the approval of the assessment list therefor by the Commissioner the amount therein appearing shall be collected and recovered in the same manner as Government taxes may be collected and recovered, and when collected or recovered it shall be paid to the Village Commission or Group Commission concerned.

Collection and recovery of assessment.

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9.—The amounts appearing in any assessment list shall be collected and recovered—

(a) in the same manner as Government taxes may be collected and recovered; and

(b) in such instalments and at such times as the Governor may from time to time direct, and such amounts when collected or recovered shall be deposited in the Public Treasury of Cyprus and shall be credited to the account of the village or group from which they have been collected or recovered.

Agreement to be signed by rural constable or temporary rural constable and Mukhtar.

Repealed

10.—(1) Every rural constable or temporary rural constable, unless he has been appointed under the provisions of section 13 or section 14 of this Law, shall, upon taking up his appointment, sign an agreement in duplicate with the Mukhtar of the Village Commission or Group Commission concerned, setting forth all the terms and conditions of his appointment.

Mode of dealing with copies of agreement.

(2) One of the copies of the agreement shall be retained and kept by the Mukhtar and the other copy shall be forwarded as soon as possible through the Superintendent to the Commissioner by the Mukhtar.

Mukhtar to seal agreement.

(3) Every such agreement shall be sealed by the Mukhtar.

Term of office of rural constable.

11. Every rural constable, unless he has been appointed under the provisions of section 13 or section 14 of this Law, shall, subject to the provisions of this Law, hold office for a period of two years commencing on the 1st day of January next ensuing after the date of his appointment, and he shall, if otherwise qualified, be capable of re-appointment for a further period or periods of two years.

12. Every rural constable or temporary rural constable shall, before taking up the duties of his office, take and subscribe the following oath before the Commissioner or his representative :—

Oath by rural constable or temporary rural constable.

“I, _____, of _____,

do swear faithfully to serve His Majesty King George V, His heirs and successors and to perform the duties of my office truly and without fear, favour or ill will during the term of my engagement.

Sworn the _____ day of _____ 19 ____.”

13.—(1) Any owner or lessee of a chiftlik, monastery, metochi, tekye or other landed property (in this section referred to as “institution or property”) and any Committee of an Irrigation Division may, with the approval of the Commissioner of the District in which such institution or property or Irrigation Division is situated, appoint a special rural constable for the purposes of such institution or property or Irrigation Division.

Appointment of special rural constable.

(2) Every appointment of a special rural constable under this section shall be notified as soon as possible by the owner or lessee of the institution or property or by the Committee of the Irrigation Division making such appointment to the Mukhtar of the village within the lands of which such institution or property or Irrigation Division is situated, to the Superintendent and to the Commissioner of the District in which such institution or property or Irrigation Division is situated.

Notification of appointment.

(3) The salary of any special rural constable appointed under this section shall be paid by the owner or lessee of the institution or property or by the Committee of the Irrigation Division appointing him.

Payment of salary.

(4) Any special rural constable appointed under this section shall be liable to be dismissed by the owner or lessee of the institution or property or the Committee of the Irrigation Division appointing him, and such owner or lessee or Committee shall notify such dismissal as soon as possible to the Mukhtar of the village within the lands of which such institution or property or Irrigation Division is situated and to the Superintendent.

Dismissal.

(5) Save as provided in sub-sections (3) and (4) of this section or specifically provided in any other section of this Law, every special rural constable appointed under this section shall be liable and subject to all the other provisions of this Law relating to rural constables.

Applicability of provisions of this Law to special rural constables.

13A added by Law 19/43

Rural constables for camps, public gardens or Government plantations.

- 14.—(1) The Commissioner may from time to time—
- (a) appoint a rural constable for any camp, public garden or Government plantation; and
 - (b) fix his salary; and
 - (c) dismiss him for good cause.

Salary out of public revenue.

- (2) The salary of every rural constable appointed under this section shall be defrayed out of the public revenue of Cyprus.

Dismissal of rural constables or temporary rural constables.

- 15.—(1) Every rural constable or temporary rural constable shall be liable to dismissal at any time by the Village Commission or Group Commission concerned or the Commissioner for—
- (a) neglect of duty;
 - (b) misconduct;
 - (c) breach of discipline.

Approval of dismissal.

- (2) Every dismissal of a rural constable or temporary rural constable made by the Village Commission or Group Commission concerned shall be reported forthwith to the Commissioner and shall not take effect until it is approved by him:

Provided that no such approval shall be given unless and until the Commissioner has granted a personal interview to the rural constable or temporary rural constable concerned.

Fulfilment of duties pending new appointment.

- (3) In case of dismissal of a rural constable or temporary rural constable under this section, the Village Commission or Group Commission concerned shall make immediate provision for the fulfilment of the duties of rural constable or temporary rural constable pending the appointment of a new rural constable or temporary rural constable.

Liability of rural constable or temporary rural constable who resigns or is dismissed, etc.

- 16.—(1) If any rural constable or temporary rural constable shall resign or shall be dismissed or shall abandon his office without sufficient cause, except for reasons of ill health, before the expiration of his term, he shall be liable to pay to the Village Commission or Group Commission concerned all such extra expenses, if any, as such Village Commission or Group Commission may incur in respect of the appointment of a new rural constable or temporary rural constable to take his place for the remainder of such term.

Mode of recovery.

- (2) Such expenses may be recovered from him in an action at the suit of such Village Commission or Group Commission in a Court of competent jurisdiction.

*R. & R. by
Law 52/34*

17. (1) If any rural constable or temporary rural constable shall— Filling vacancies.

- (a) die; or
- (b) become incapable of acting; or
- (c) resign; or
- (d) be dismissed; or
- (e) refuse or neglect to act,

P. & R. by Law 52/34

the Village Commission or Group Commission concerned shall, subject to the approval of the Commissioner, appoint another rural constable or temporary rural constable in his stead.

(2) If the appointment so made is not approved by the Commissioner or if the Village Commission or Group Commission neglects to appoint within four weeks of the occurrence of the vacancy, the Commissioner shall appoint a rural constable or temporary rural constable and shall notify the appointment to the Mukhtar. Commissioner to fill vacancies in certain cases.

18. No person who—

- (a) is under the age of twenty-one years; or
- (b) is over the age of fifty years; or
- (c) has within seven years of his proposed appointment as a rural constable or temporary rural constable been convicted of homicide, rape or perjury; or
- (d) has within three years of his proposed appointment as a rural constable or temporary rural constable been convicted of larceny and sentenced to imprisonment for a period of not less than six months,

Qualifications of rural constables.

shall be capable of being appointed as rural constable or temporary rural constable.

19.—(1) The Governor may at his discretion from time to time direct that a contribution out of the public revenue of Cyprus should be made in any year in part payment of the salary of any rural constable or temporary rural constable. Government contribution.

(2) In every case in which a contribution is made under this section, a sum sufficient to cover the balance only of the rural constable's or temporary rural constable's salary shall be assessed on the occupiers in accordance with the provisions of this Law. In case of contribution balance of salary to be assessed.

PART III.

DUTIES OF RURAL CONSTABLES.

Duties of
rural
constables or
temporary
rural
constables.

20. The duties of every rural constable or temporary rural constable shall be as follows :—

(a) To keep watch over the fields, gardens, vineyards, crops, trees and waters within the village or group for which he is appointed.

(b) To patrol the lands of the village or group by night and day in such manner as the Village Commission or Group Commission may direct, or the necessities of the time or place may require.

(c) To watch and report to the Village Commission or Group Commission all shepherds grazing their flocks where they are not entitled to do so.

(d) To impound any stray animal likely to do damage or any animal found on any sown or cultivated land or in a vineyard or garden in which the owner of the animal has no right to allow the animal to be.

(e) To impound any animal feeding on any tree upon which the owner of the animal has no right to allow the animal to feed.

(f) To report as soon as possible all injuries done to crops, vines, trees, fences, water-courses, buildings, lands or animals to the Village Commission or Group Commission and to the owner or occupier of the thing or immovable property injured.

(g) To report as soon as possible to the Village Commission or Group Commission any person whom he finds damaging any crops, vines or trees, not being his own property, without having in his possession the written permission of the owner thereof.

(h) To see that no person gathers carobs or olives before the date fixed by the Commissioner as in this or any other Law provided, and to report immediately to the nearest Police Station the name of any person who does so.

(i) To preserve game and wild birds and report to the nearest Police Station immediately any infringement of the Game and Wild Birds Protection Laws.

(j) To report to the nearest Police Station the commission of any crime which may be brought to his notice.

(k) To assist the Police in the counting of sheep, goats and pigs.

(l) To assist and co-operate with the Police in the prevention or detection of crime.

(m) To perform such other duties as may be assigned to him by the Commissioner.

(n) Generally, to carry into effect the provisions of this Law and of any regulations made hereunder.

21.—(1) Any report required to be made by the rural constable or the temporary rural constable to the Village Commission or Group Commission under this Law, may be made to any two or more members of the Village Commission or Group Commission, and shall be in such form as may be prescribed by regulations made under this Law. To whom reports may be made.

(2) In making such report the rural constable or the temporary rural constable shall as far as possible give particulars of the manner in which the injury has been caused, the amount of damage done, the person causing it, and, in case of trespass by animals, the name of the owner of the animals. Particulars in report.

(3) On such report being made to the Village Commission or Group Commission, the members to whom it is made shall take it down in writing and shall sign it, and it shall be read over to, and signed by, the rural constable or the temporary rural constable making it. Report to be reduced into writing and signed.

(4) A report drawn up and signed as provided by the immediately preceding sub-section shall be receivable as evidence of all that is stated therein in any proceedings before a court of competent jurisdiction or the Village Commission or Group Commission, and the presence of the rural constable or the temporary rural constable who made it shall not be necessary in any proceeding in relation thereto : Report to be evidence.

Provided that any person affected by the report may require the rural constable or the temporary rural constable making it to attend at the proceedings and be examined thereat, but in such case such person shall pay in advance, at the time of making the requisition, all costs of procuring the attendance of the rural constable or the temporary rural constable and of his attendance, including the costs of a substitute, if required, during his absence.

(5) Any rural constable or temporary rural constable wilfully making any false statement in any report drawn up and signed or sealed as provided by sub-section (3) of this section, shall be guilty of an offence and on conviction thereof shall be liable to the same penalties as if he had given false evidence in a judicial proceeding. Penalty for making false report.

PART IV.

IMPOUNDING OF ANIMALS.

Pound to be provided.

22.—(1) The Village Commission or Group Commission shall set apart a building or place as a pound for the keeping of such animals as may be impounded by the rural constable under the provisions of this Law.

Rent and cost.

(2) The rent and cost, if any, incurred in providing such building or place shall be assessed, collected and recovered in manner in this Law provided.

Impounding of animals.

23.—(1) Any rural constable or temporary rural constable may impound—

(a) any stray animal likely to do damage; or

(b) any animal found on any sown or cultivated land or in a vineyard or garden in which the owner of the animal has no right to allow the animal to be; or

(c) any animal feeding on any tree upon which the owner of the animal has no right to allow the animal to feed,

until claimed by the owner of such animal and payment is made for any damage done and for the cost of maintaining such animal until so claimed and the poundage fee.

Keeping of animal in pound.

(2) Every animal so impounded shall be kept and fed and otherwise provided for by the rural constable or the temporary rural constable in the pound provided under section 22 of this Law, until the owner of the animal has claimed it and paid to the rural constable or the temporary rural constable—

(a) the costs of keeping it during the time it has been impounded;

(b) a poundage fee of ~~six~~⁹ copper piastres for each animal, other than fowls:

Provided that if more than ~~nine~~⁸ animals, other than fowls, belonging to the same owner are detained at any one time, the fee in respect of such impounding shall in no case exceed ~~six~~⁸ shillings;

(c) a poundage fee of two copper piastres for each fowl.

Power to sell impounded animals.

(3) If any animal so impounded is not claimed by the owner thereof within thirty days in the case of an animal being a beast of burden, or within fifteen days in the case of a smaller animal, or if the owner neglects or refuses to pay any of the costs or fees in the last preceding sub-section mentioned within ten days from the time when they have been lawfully demanded, the Mukhtar of the Village Commission or Group Commission concerned may cause the animal to be sold by public auction, and repay out of

the purchase money the costs and fees payable as provided by the last preceding sub-section, and any other sums as may have been assessed and awarded for damages in respect of any injury caused by the animal, together with the costs, if any, of sale. The balance, if any, of the purchase money shall be paid to the owner of the animal, or if he cannot be found or is unknown shall be deposited in the ~~Public Treasury of Cyprus~~ and shall be credited to the account of the village or group concerned and shall be dealt with in manner in section 24 (2) of this Law prescribed.

(4) When any animal has been impounded under the provisions of this section, and it is necessary for the purpose of maintaining such animal to put it out to pasture, the rural constable or the temporary rural constable in whose custody it is may entrust it to some trustworthy person to take out to pasture, and any expenses incurred for this purpose shall be recoverable by the rural constable or the temporary rural constable from the owner of such animal as part of the cost of keeping the same.

Pasturage of animals impounded.

(5) Any person who unlawfully takes out of the pound provided under section 22 of this Law or out of the custody of a rural constable or temporary rural constable or his agent any animal impounded under the provisions of this section, shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding two pounds.

Penalty.

24.—(1) All poundage fees paid to the rural constable or the temporary rural constable under the provisions of section 23 (2) of this Law shall be deposited by him as soon as possible after such payment in the ~~Public Treasury of Cyprus~~ and shall be credited to the account of the village or group concerned. *V. R. C. Fund*

Poundage fees to be deposited in Public Treasury.

(2) The moneys deposited in the Public Treasury of Cyprus under the provisions of sub-section (1) hereof and of section 23 (3) of this Law shall be under the administration and control of the Commissioner who shall apply them in payment or part payment of the salary of the rural constable or the temporary rural constable of the village or group concerned in such manner and at such times as the Commissioner may in each case determine.

Mode of dealing with deposits.

R. & R. by 52/34

(3) In every case in which a sum of money has been applied for the purpose of sub-section (2) hereof, a sum sufficient to cover the balance only, if any, of the rural constable's or temporary rural constable's salary shall be assessed on the occupiers in accordance with the provisions of this Law,

When balance only of salary to be assessed.

PART V.

TRESPASS AND DAMAGES.

Trespass by
animals.

25.—(1) If any animal is found trespassing on any sown or cultivated land or in any vineyard or garden, or damaging the property of any person both the owner of the animal and the person (if any) in whose charge it was at the time of committing the trespass or damage shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding two shillings in respect of each such animal, and every Court of competent jurisdiction before which any person charged with such offence is being tried shall have power to award such compensation by way of damages as the Court think fit:

Provided that, save as otherwise in this Law provided, nothing in this section contained shall prevent any proceeding by action before a Court of competent jurisdiction in respect of trespass or damage by any animal.

Prosecutions
Amended
to be
instituted
by private
persons only.

Onus of
proof.

(2) Every prosecution under this section shall be instituted by the person injured by the act complained of.

or by a superintendent.
(3) In every prosecution under this section the onus of proving that the act complained of has been done with the permission or consent of the person entitled to give such permission or consent shall lie upon the accused.

Damage by
animals to
be paid for.

26.—(1) If any animal is found damaging the property of any person, the owner of such animal shall be liable to pay damages to the owner of the property damaged, which damages shall be assessed in manner in this section provided.

Assessment
of damage.

(2) The rural constable or the temporary rural constable alone shall assess the said damages when the amount does not, in his opinion, exceed the sum of two pounds, and shall make a report to the Village Commission or Group Commission in manner in section 21 of this Law provided, and upon such report having been made the rural constable or the temporary rural constable shall demand payment of the amount so assessed by him from the person liable to pay it, and if the said amount shall be paid within seven days of such demand, the rural constable or the temporary rural constable shall pay it over to the person entitled thereto and obtain his receipt therefor.

Recovery of
amount
remaining
unpaid.

(3) If the amount so assessed be not paid within the period in the last preceding sub-section prescribed, the rural constable or the temporary rural constable shall

notify the person entitled thereto that it remains unpaid, and the amount may then be claimed and recovered only in manner in Part VI of this Law provided.

(4) If, in the opinion of the rural constable or of the party injured, the amount of the damage exceeds two pounds, the Village Commission or Group Commission shall, at the request of the party injured, appoint two valuers to assess the damage. The two valuers shall make a report assessing the damage and their report shall be appended to and form part of the report of the rural constable or the temporary rural constable.

Assessment
by valuers.

(5) Every valuer sent to assess damage under the provisions of this section shall be entitled to a fee of from one to three shillings as may be directed by the Village Commission or Group Commission, to be prepaid by the person who suffered the damage in question. Every such fee may be recovered as costs in any proceeding in respect of the said damage.

Fees to
valuers.

(6) Any valuer who shall make a false estimate of any damage which he is called upon to assess under this section, or take a bribe directly or indirectly, shall be guilty of an offence and on conviction thereof shall be liable to imprisonment for a term not exceeding six months or to a fine not exceeding ten pounds or to both such imprisonment and fine.

Penalty.

PART VI.

SUMMARY PROCEEDINGS.

27.—(1) Every Village Commission or Group Commission shall have jurisdiction to hear and determine claims, and to award damages, in respect of trespass or damage by any animal, subject to the following conditions, that is to say:—

Jurisdiction
of Village
Commission
or Group
Commission
in cases of
trespass or
damage by
animals.

(a) that the amount of the claim to be adjudicated upon shall not exceed two pounds;

(b) that before the hearing of any claim, the claimant shall pay to the Mukhtar a fee of one shilling for the price of paper and writer's fee;

(c) that twenty-four hours' notice at least be given to the respondent of the place and hour at which the claim is to be heard, and of the nature of the claim;

(d) that such notice, if verbal, be given in the presence of two witnesses, and, if written, be served on the respondent in the presence of one witness;

(e) that the Village Commission or Group Commission shall not proceed to the hearing of a claim in the absence of the respondent unless and until it has been proved that due notice of the proceedings has been given or served on the respondent;

(f) that the majority of the Village Commission or Group Commission (counting the Mukhtar as one member) shall form a quorum;

(g) that no person who is an interested party shall sit as a member of the tribunal or take any part in the proceedings;

(h) that the Village Commission or Group Commission shall not adjudicate on any claim unless the trespass or damage in respect of which the claim is made has taken place within the limits of the village or group;

(i) that the Village Commission or Group Commission in adjudicating upon any claim shall not make more than one decision in respect thereof;

(j) that the Village Commission or Group Commission shall not inflict any fine or otherwise punish any offender.

Decision to be reduced into writing.

(2) Every decision of a Village Commission or Group Commission made under the last preceding sub-section shall be reduced into writing in triplicate and shall be in such form as may be prescribed by regulations made under this Law, and each member of the tribunal shall sign each copy.

Disposal of copies of decision.

(3) One of the copies of such decision shall be retained and kept by the Mukhtar, another copy shall be delivered by the Mukhtar to the claimant and the third copy shall be delivered by the Mukhtar to the respondent.

Recovery of Mukhtar's fee.

(4) If the claimant is successful in his claim, the Village Commission or Group Commission may in their decision direct that the fee paid to the Mukhtar under this section and any fee paid to any valuer under the provisions of section 26 (5) of this Law be recovered by the claimant from the respondent as costs of the proceedings.

Appeal from Village Commission or Group Commission.

27-A
power to require attendance of witnesses.

Sec. 27A added

28.—(1) Every decision of a Village Commission or Group Commission under this Part of this Law shall be subject to appeal to an Assistant District Judge of the Judicial District in which the cause of action arose.

Manner of making appeal.

(2) Every such appeal shall be brought within fourteen days of the date when the copy of the decision was delivered to the respondent, and the proceedings on appeal shall be commenced by writ of summons in the same manner as an original action brought before a District Court.

(3) The writ of summons if issued by the original claimant shall claim against the original respondent such damages, not exceeding an amount within the jurisdiction of an Assistant District Judge, as such claimant shall deem himself entitled to, and if issued by the original respondent shall claim that the original claimant do show cause why the decision of the Village Commission or Group Commission should not be set aside.

Contents of appeal.

R. & P. by
Law 52/34

29.—(1) If any sum adjudged to be paid by any decision of a Village Commission or Group Commission under this Part of this Law, is not paid within fourteen days after a copy of the decision has been delivered to the respondent, such decision may, on an application in writing made to an Assistant District Judge of the Judicial District in which the respondent resides, be executed in the same manner as if such decision were a judgment issued by such Assistant District Judge:

Execution of decisions of Village Commission or Group Commission.

Provided that no execution shall issue in respect of any decision under appeal.

(2) No Court fees shall be charged or paid in respect of any application made or execution issued under this section.

PART VII.

SUPERINTENDENT OF RURAL CONSTABLES.

30. In every District the Commissioner shall appoint one or more ~~ex-members of the Cyprus Military Police or persons with previous service as rural constables~~ ^{fit and proper persons} to be Superintendent of rural constables and temporary rural constables.

Appointment of Superintendents.

31. The duties of every Superintendent shall be as follows:—

Duties of Superintendents.

(a) To supervise in his District the work and operations of rural constables or temporary rural constables.

(b) To report to the Mukhtar of the village or group concerned and to the Commissioner any misconduct or failure of duty of any rural constable or temporary rural constable.

(c) To inspect the records and books kept by Mukhtars and rural constables or temporary rural constables.

(d) To receive from the Public Treasury of Cyprus the salary of the rural constables or temporary rural constables within his District and to pay to them the amount of their salary so received.

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- (d) ~~(a)~~ To receive and lodge forthwith with the Commissioner all documents which are required to be forwarded by the Mukhtar to the Commissioner under this Law.
- (e) ~~(b)~~ To perform such other duties as may be assigned to him by the Commissioner.
- (f) ~~(c)~~ Generally, to carry into effect the provisions of this Law and of any regulations made hereunder.

Superintendents to be under control of Commissioner.

32. Superintendents shall be under the direct control and orders of the Commissioner of their District, and shall furnish such Commissioner with a monthly report of their work during the month immediately preceding such report.

PART VIII.

MISCELLANEOUS.

Uniform or badge of Superintendents.

33. All Superintendents and rural constables or temporary rural constables shall wear such uniform or distinguishing badge as from time to time the Governor may determine.

Gathering of carobs.

34.—(1) The Commissioner shall fix the date in each year at which the gathering of carobs shall begin in each village or group, and shall give public notice of every date so fixed by public placard to be posted on the door of every church and mosque in the village or group, or, should there be no church or mosque, in some conspicuous place in the village.

Penalty.

(2) Any person who shall gather carobs before the date so fixed, shall be guilty of an offence and on conviction thereof shall be liable to imprisonment for a term not exceeding one month or to a fine not exceeding five pounds, or to both such imprisonment and fine.

Provision in cases in which there are both Christian and Moslem Mukhtars.

35.—(1) Where there is both a Christian and Moslem Mukhtars in any village or quarter, the Mukhtar to perform the duties and to receive the fees referred to in this Law shall be the Mukhtar of the community to which the injured party belongs and the fees to be received by a Mukhtar under the provisions of this Law shall be divided between such Mukhtars in such proportion as the Commissioner may direct.

Where more than one Mukhtar.

(2) Where there is in any village, not composed of such mixed population of Christians and Moslems as necessitates the appointment of a separate Mukhtar for each community, more than one quarter and in consequence more than

one Mukhtar the Mukhtar to perform the duties and to receive the fees referred to in this Law shall be the Mukhtar of the quarter to which the injured party belongs and the fees to be received by a Mukhtar under the provisions of this Law shall be divided between such Mukhtars in such proportion as the Commissioner may direct.

36.—(1) Any Mukhtar or member of a Village Commission or Group Commission, or any rural constable or temporary rural constable, or any Superintendent, who fails without reasonable excuse to perform any of the duties assigned to him under this Law, shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding ten pounds.

Offences and penalties. Mukhtars, etc., failing to perform duty.

(2) Any person who obstructs or prevents any Mukhtar or member of a Village Commission or Group Commission, or any rural constable or temporary rural constable, or any Superintendent in the execution of his duty, shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding ten pounds.

Persons obstructing Mukhtars, etc., in execution of duty.

(3) Any person who contravenes or fails to comply with any regulations made under this Law shall be guilty of an offence and on conviction thereof shall be liable to a fine not exceeding two pounds.

Contravention of regulations.

37. The Governor in Council may from time to time make regulations to be published in the *Cyprus Gazette* for all or any of the following matters, that is to say—

Power to Governor in Council to make regulations.

- (a) the forms and books to be used ;
- (b) the manner of keeping books ;
- (c) the procedure of a Village Commission or Group Commission when hearing claims made under this Law ;
- (d) the discipline of rural constables ;
- (e) generally, for the better carrying out of the purposes of this Law.

38. The Governor, with the assistance and advice of the Chief Justice, may from time to time by writing under the hand and official seal of the Governor and the hand of the Chief Justice, make, alter and revoke Rules of Court regulating the practice and procedure of any Court under this Law.

Rules of Court.

39.—(1) The enactments in the Schedule to this Law are hereby repealed as from the day of the coming into operation of this Law.

Repeal.

Savings.

(2) All rural constables appointed under any of the enactments hereby repealed and whose term of office remains unexpired on the day of the coming into operation of this Law :—

(a) shall be deemed to be rural constables appointed under this Law ; and

(b) shall be deemed to be rural constables for the village or group in which they are serving on the day of the coming into operation of this Law and may be liable to transfer from place to place by order of the Governor ; and

(c) shall, subject to the provisions of this Law, remain in office for the unexpired term of their engagement ; and

(d) shall, if in office, receive during the continuance of such term the amount of salary at which they were appointed ; and

(e) may receive out of the public revenue of Cyprus any gratuity which they might have received under any of the enactments hereby repealed.

(3) The amount of the salary of every such rural constable shall be assessed, collected and recovered in accordance with the provisions of this Law.

Date of
coming into
operation.

40. This Law shall come into operation on the 1st day of January, 1933 :

Provided that as soon as may be after the passing of this Law and notwithstanding anything contained herein, the Village Commission or Group Commission may do any act prescribed by section 5 at any date between the passing of this Law and the date of its coming into operation, subject to the restriction that any appointment made thereunder shall not have any effect until this Law comes into operation.

SCHEDULE.

The Police Law, 1878, Part 2, with the exception of section 85.
The Police (Amendment) Law, 1928.
The Police (Amendment) Law, 1929, sections 3, 4, 5, 6,
7, 8, 9, 10, 11 and 12.
The Police (Amendment) Law, 1932.

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