

No. 52 OF 1934.

A LAW TO AMEND THE RURAL CONSTABLES LAW, 1932.

A.D. 1934.

H. R. PALMER,]

[31st December, 1934.

52 of 1934.

Governor.

BE it enacted:—

1. This Law may be cited as the Rural Constables (Amendment) Law, 1934, and shall be read as one with the Rural Constables Law, 1932, (hereinafter called "the Principal Law"), and the Principal Law and this Law may together be cited as the Rural Constables Laws, 1932 and 1934.

Short title.

62 of 1932.

2. Section 2 of the Principal Law is hereby amended by the deletion in the definition "Superintendent" of the words "an ex-member of the Cyprus Military Police or a person with previous service as a Rural Constable" and by the substitution therefor of the words "a person".

Amendment of section 2 of Law 62 of 1932.

3. Section 5 of the Principal Law is hereby amended as follows:—

Amendment of section 5 of Law 62 of 1932.

(a) By the deletion of paragraph (g) in sub-section (1).

(b) By the deletion in the second line of sub-section (2) of the words "two pounds" and by the substitution therefor of the words "thirty-five shillings".

(c) By the deletion in the last line of sub-section (2) of the word "ten" and by the substitution therefor of the word "five".

(d) By the addition of the following sub-section at the end thereof:—

"(4) The salary of every rural constable and temporary rural constable shall be paid to him out of the Village Rural Constables Fund by the Mukhtar of the village or group, as the case may be, on the last day of each month."

4. Section 6 of the Principal Law is hereby repealed and the following substituted therefor:—

Repeal of section 6 of Law 62 of 1932 and substitution of new section.

"Appoint-
ment of
rural con-
stables, etc.

6.—(1) The Commissioner shall, upon receipt of the resolution in the last preceding section mentioned, appoint such number of fit and proper persons to be rural constables or temporary rural constables as may be required for the purpose.

(2) Every rural constable shall be appointed for a period of two years and shall, if he has carried out his duties to the satisfaction of the Commissioner, be eligible for re-appointment for a further a period or periods of two years."

Amendment
of section 8
of Law 62
of 1932.

5. Section 8 of the Principal Law is hereby amended as follows :—

(a) By the deletion of sub-section (1) and by the substitution therefor of the following sub-section :

“(1) The Mukhtar in conjunction with the Village Commission or Group Commission shall, between the 1st day of November and the 15th day of December in every year, assess any amount required for the purposes of section 5 of this Law for the ensuing year upon all occupiers of the village or group and shall make a list (hereinafter called “the assessment list”) containing the name and occupation of every occupier and the amount assessed upon each and shall make such number of copies of the same as may be required :

Provided that the assessment for the year 1935 may be made at any time before the 1st day of February, 1935.

(b) By the insertion in sub-section (5) immediately before the word “ occupier ” of the word “ resident ”.

(c) By the insertion immediately after sub-section (5) of the following sub-section :—

“(5A) Whenever any amount is assessed on property attached to a monastery or throne or on any non-resident occupier of land in the village or group a special notice of the amount so assessed shall be immediately forwarded by the Mukhtar to the head of the monastery, Metropolitan of the throne, or non-resident occupier, as the case may be, and such assessed party may, within twenty days from the date of receipt of such notice appeal to the Commissioner in the manner prescribed by sub-section (5) of this section and shall, within the same period, forward a copy of his notice of appeal to the Mukhtar.”

(d) By the deletion in sub-section (9) of the words “ Public Treasury of Cyprus ” and by the substitution therefor of the words “ a fund to be called the Village Rural Constables Fund ”.

- (e) By the deletion in sub-section (10) of the words from "in the same manner" to the end of the sub-section and by the substitution therefor of the words "as in section 9 of this Law provided and when recovered it shall be refunded to the members of the Village or Group Commission who have paid the same."

6. Section 9 of the Principal Law is hereby repealed and the following substituted therefor:—

"Recovery and disposal of sum assessed.

9.—(1) The amounts appearing in any assessment list shall be paid by the persons assessed to the Mukhtar of the village or group at any time between the date of the approval of the assessment list by the Commissioner and the 31st day of May in each year either in one sum or by instalments and shall be paid by the Mukhtar into the Village Rural Constables Fund.

Repeal of section 9 of Law 62 of 1932 and substitution of new section.

(2) Any sum appearing in the assessment list remaining unpaid after the 31st day of May in any year shall be collected and recovered in the same manner as Government taxes may be collected and recovered.

(3) Any person who fails or neglects to pay within the prescribed period the amount for which he is assessed shall be liable to pay in addition ten per centum of the sum for which he was assessed and such additional amount shall be recoverable at the same time and in the like manner as the sum for which he was assessed:

Provided that whenever any additional amount payable under this sub-section consists of a fraction of one piastre there shall be paid in respect thereof the sum of one piastre.

(4) The additional amount collected under sub-section (3) hereof shall form part of the Public Revenue of Cyprus."

7. Section 10 of the Principal Law is hereby repealed.

Repeal of section 10 of Law 62 of 1932.

Repeal of section 15 of Law 62 of 1932 and substitution of new section.

8. Section 15 of the Principal Law is hereby repealed and the following substituted therefor:—

“Punishment and dismissal of rural constables and temporary rural constables.”

15.—(1) Every rural constable or temporary rural constable shall be liable to dismissal at any time by the Commissioner for any neglect of duty, breach of discipline or other misconduct:

Provided that the Commissioner may, in lieu of dismissal, impose a fine not exceeding the amount of one week's salary of the delinquent.

(2) Any fine imposed by a Commissioner under the provisions of this section shall be paid into the Village Rural Constables Fund.”

Repeal of section 17 of Law 62 of 1932 and substitution of new section.

9. Section 17 of the Principal Law is hereby repealed and the following substituted therefor:—

“Filling vacancies.”

17. If any rural constable or temporary rural constable shall—

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

the Commissioner shall appoint a fit and proper person to be rural constable or temporary rural constable for the residue of the term of office of such rural constable or temporary rural constable.”

Amendment of section 23 of Law 62 of 1932.

10. Section 23 of the Principal Law is hereby amended as follows:—

- (a) By the deletion in paragraph (b) of sub-section (2) of the word “six” and by the substitution therefor of the word “nine”.
- (b) By the deletion in the first line of the proviso to paragraph (b) of sub-section (2) of the word “nine” and by the substitution therefor of the word “eight” and by the deletion in the fourth line of the same paragraph of the word “six” and by the substitution therefor of the word “eight”.
- (c) By the deletion in sub-section (3) of the words “Public Treasury of Cyprus and shall be credited to the account of the village or group concerned” and by the substitution therefor of the words “Village Rural Constables Fund”.

11. Section 24 of the Principal Law is hereby amended as follows :—

Amendment of section 24 of Law 62 of 1932.

(a) By the deletion in sub-section (1) of the words from " the Public Treasury " to the end of the sub-section and by the substitution therefor of the words " Village Rural Constables Fund ".

(b) By the repeal of sub-section (2) and by the substitution therefor of the following sub-section :—

" (2) The Commissioner may, in his discretion and having regard to the manner in which any rural constable or temporary rural constable has performed his duties during the previous year, pay out of the moneys deposited in the Village Rural Constables Fund under the provisions of sub-section (1) hereof and section 23 (3) of this Law, a bonus of such amount as he may think fit to such rural constable or temporary rural constable, as the case may be."

12. Sub-section (2) of section 25 of the Principal Law is hereby amended by the addition of the following words at the end thereof :—

Amendment of section 25 (2) of Law 62 of 1932.

" or by a Superintendent, in his discretion, upon the complaint of such person. No Court fees shall be charged in respect of any prosecution under this section."

13. The Principal Law is hereby amended by the insertion immediately after section 27 of the following section :—

Insertion of new section 27A in Law 62 of 1932.

" Power to require attendance of witnesses.

27A. The Village Commission or Group Commission may require any person residing within the village or group to attend at the hearing of a claim under section 27 of this Law. Any person who without reasonable excuse fails to attend when so required shall be guilty of an offence and shall be liable to a fine not exceeding ten shillings."

14. Section 28 of the Principal Law is hereby repealed and the following substituted therefor :—

Repeal of section 28 of Law 62 of 1932 and substitution of new section.

" Appeals.

28. Any person who has been adjudicated by a Village Commission or Group Commission to pay a sum in excess of one pound under section 27 of this Law may, within fourteen days and upon payment of a fee of two shillings in stamps, appeal to the Commissioner whose decision thereon shall be final and conclusive."

Repeal of section 29 of Law 62 of 1932 and substitution of new section.

15. Section 29 of the Principal Law is hereby repealed and the following substituted therefor:—

“Execution of decisions of Village Commission or Group Commission.

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 seven days after a copy of the decision has been delivered to the respondent the Village Commission or Group Commission, as the case may be, shall, upon the application of the complainant, issue a warrant commanding the Mukhtar of such Village Commission or Group Commission to recover the amount due together with a fee of one piastre for every shilling of the amount due.

(2) Every such warrant shall be executed in the like manner as a warrant issued by the Commissioner under the First Schedule to the Recovery of Compensation for Injury to Property Laws, 1930 to 1933.

(3) The fee mentioned in sub-section (1) of this section shall be retained by the Mukhtar.

(4) No execution shall issue in respect of any decision under appeal.”

Amendment of section 30 of Law 62 of 1932.

16. Section 30 of the Principal Law is hereby amended by the deletion of the words “ex-members of the Cyprus Military Police or persons with previous service as rural constables” and by the substitution therefor of the words “fit and proper persons”.

Amendment of section 31 of Law 62 of 1932.

17. Section 31 of the Principal Law is hereby amended by the deletion of paragraph (d), the subsequent paragraphs therein being re-numbered accordingly.

This Law came into operation on 31st December, 1934.