

## No. 20 OF 1935.

A.D. 1935. A LAW TO PROVIDE FOR THE LICENSING OF SHEPHERDS.

20 of 1935.

W. D. BATTERSHILL,]

[15th July, 1935.

*Officer Administering the Government.*

BE it enacted :—

Short title.

1. This Law may be cited as the Shepherds' Licensing Law, 1935.

Interpre-  
tation.

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

“ animal ” means any sheep or goat ;

“ Commissioner ” means the Commissioner of the District ;

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

“ flock ” means a flock consisting of not less than six animals excluding their unweaned offsprings.

No person  
to be in  
charge of  
flock without  
a licence.

3. From and after the 1st day of September, 1935, 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 called “ a shepherd's licence ”); and

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

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, 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 :

Provided that no licence shall be issued under this subsection to any person who—

(a) is under sixteen years of age ;

(b) is disqualified from holding a shepherd's licence under the provisions of section 9 of this Law.

(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) No fee shall be taken or paid in respect of a shepherd's licence.

5. A shepherd shall at all times carry his shepherd's licence and shall, when requested to do so, produce it for inspection to any officer of the District Administration, peace officer, Mukhtar or rural constable. Shepherd to carry licence.

6.—(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 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 licences.

(2) Any person to whom a permit has been granted under sub-section (1) of this section shall at all times carry such permit and shall, when requested to do so, produce it for inspection to any officer of the District Administration, peace officer, Mukhtar or rural constable.

7. If any shepherd's licence shall be destroyed, defaced or lost, the Commissioner, if he shall be satisfied as to the destruction, defacement or loss of such licence, shall, upon the 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 : Loss, 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.

8.—(1) 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, if satisfied that the shepherd, since the commencement of this Law,— Cancellation, etc., of shepherd's licence.

- (a) has been convicted of an offence under section 25 of the Rural Constables Laws, 1932 and 1934 ; 62 of 1932.  
52 of 1934.
- (b) has been convicted of an offence which would disqualify him from holding a shepherd's licence under the provisions of this Law ;
- (c) has been convicted of an offence under section 18 (1) of the Tree Planting Village Areas Law, 1930 ; 28 of 1930.

(d) was in charge of a flock found damaging the property of any person and in respect of which damages were assessed either by a rural constable or a temporary rural constable under the provisions of sub-section (2) of section 26 of the Rural Constables Laws, 1932 and 1934, or by valuers appointed under sub-section (4) of section 26 of the said Laws.

62 of 1932.  
52 of 1934.

(2) Subject to the provisions of section 11 of this Law, every order of the Commissioner made under sub-section (1) of this section shall be final and conclusive.

Persons disqualified from holding a shepherd's licence.

9. No person shall be granted a shepherd's licence who, since the commencement of this Law, has been convicted of any of the following offences, that is to say:—

(a) An offence under section 204, 255, 266, 272, 273, 294, 303, 304, 305, 306 or 312 (2) of the Cyprus Criminal Code, 1928 to (No. 2) 1933, or any amendment thereof.

(b) An offence under section 297 of the Cyprus Criminal Code, 1928 to (No. 2) 1933, or any amendment thereof if the offender has been previously convicted under that section since the commencement of this Law.

(c) An offence under section 6 (f) of the Forest Law, 1879, or any amendment thereof.

22 of 1879.

(d) An offence under the Contagious Diseases (Animals) Law, 1880, or any amendment thereof.

4 of 1880.

(e) Any offence declared by the Governor in Council to be an offence for the purposes of this section.

Flocks to be provided with bells.

10.—(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.

Appeals to the Governor in Council.

11. Any person aggrieved by—

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

(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 in Council whose decision thereof shall be final and conclusive :

Provided that no appeal shall lie from the refusal of the Commissioner to grant a shepherd's licence to any person who is disqualified from holding such licence on the grounds set out in paragraphs (a) and (b) of the proviso to sub-section (2) of section 4 of this Law.

12. Any person who acts in contravention of section 3, 5 or 6 (2) of this Law 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. Offences.

13. If any flock is found outside an enclosure in charge or under the control of a person other than a person who is the holder of a shepherd's licence or a permit issued under the provisions of section 6 of this Law, the owner of such flock 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 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, be forfeited. Liability of owner of flock in charge of unlicensed persons.

14. Any flock found outside an enclosure in charge any person other than a holder of a shepherd's licence or a permit issued under the provisions of section 6 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 6 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 and 1934, 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.

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

(a) at the request and under the personal supervision of a holder of a shepherd's licence or a permit issued under the provisions of section 6 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.

Shepherd's licence to existing shepherds.

16. Notwithstanding anything contained in this Law, the Commissioner shall issue a shepherd's licence to any person who applies for a licence not later than the 1st day of September, 1935, and who satisfies the Commissioner that—

- (a) he is sixteen years of age or over ; and
- (b) he was a shepherd for three months immediately before the commencement of this Law.

Saving.

17. Nothing in this Law shall prevent any person from being liable to any other penalty, damages or punishment to which he would have been subject if this Law had not been enacted.

SCHEDULE.

FORM A.

(Section 4 (2)).

THE SHEPHERDS' LICENSING LAW, 1935.

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.

\* Insert kind and number of animals.

FORM B.

(Section 6 (1)).

THE SHEPHERDS' LICENSING LAW, 1935.

TEMPORARY PERMIT.

No.....

..... of..... is hereby authorized to be in charge of the flock belonging to..... of..... consisting of \*..... for a period of.... days from to-day outside an enclosure.

Dated.....

.....  
Mukhtar of.....

\* Insert kind and number of animals.

This Law came in to operation on 19th July, 1935.