

## No. 27 OF 1938.

## A LAW TO PROVIDE FOR A FURTHER SUSPENSION OF THE HOLDING OF MUNICIPAL ELECTIONS AND FOR THE APPOINTMENT OF COUNCILS.

H. R. PALMER,]  
Governor.

[20th October, 1938.

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

Short title.

1. This Law may be cited as the Municipal Corporations (Appointment of Councils) Law, 1938.

Interpreta-  
tion.

26 of 1930  
44 of 1934  
31 of 1937  
1 of 1938

2. In this Law, unless the context otherwise requires, the various expressions used shall have the same meaning as is respectively assigned to them by the Municipal Corporations Laws, 1930 to 1938.

No election  
of Councils  
until ordered  
by the  
Governor,  
and suspen-  
sion of  
certain pro-  
visions of the  
Municipal  
Corporations  
Laws, 1930  
to 1938.

26 of 1930  
44 of 1934  
31 of 1937  
1 of 1938

3.—(1) Notwithstanding anything in the Municipal Corporations Laws, 1930 to 1938, contained no election for any Council shall be had and no notice of election shall be prepared signed or published under the provisions of the said Laws until such year as the Governor shall by Order to be published in the *Gazette* direct.

(2) The operation of sections 9, 11 and 13 to 59, both inclusive, of the Municipal Corporations Laws, 1930 to 1938, and of the First, Second, Third, Fourth and Fifth Schedules thereto, are hereby suspended until such date or dates as shall be specified in an Order of the Governor made under sub-section (1).

Power to  
Governor  
to appoint  
councillors  
and to  
nominate  
Mayors and  
Deputy  
Mayors.

26 of 1930  
44 of 1934  
31 of 1937  
1 of 1938

4.—(1) It shall be lawful for the Governor, subject to the provisions of section 10 of the Municipal Corporations Laws, 1930 to 1938, by instrument under his hand to appoint such persons as would be qualified to be councillors of any town under the said Laws, to be members of the Council of the Municipal Corporation of such town and to nominate from among such persons the Mayor and the Deputy Mayor.

(2) Every person appointed under sub-section (1) shall hold office for a period of four years from the date of his appointment and every person nominated under sub-section (1) shall hold office for a period of two years from the date of his nomination :

Provided—

- (a) that every person so appointed or nominated shall upon the expiration of his period of office be eligible for appointment or nomination for a further period of office,
- (b) that the Governor, if he deems it expedient, may revoke at any time the appointment or nomination of any such person and may appoint or nominate any other duly qualified person in his place, and
- (c) that all persons so appointed or nominated shall cease to hold office upon the coming into office of a Council elected under the provisions of the Municipal Corporations Laws, 1930 to 1938, in pursuance of an Order of the Governor made under section 3 of this Law.

26 of 1930  
 44 of 1934  
 31 of 1937  
 1 of 1938

(3) Any person appointed or nominated under this section may resign his office as councillor, Mayor or Deputy Mayor by giving notice in writing to the Commissioner who shall forward the notice through the Colonial Secretary to the Governor for his information.

(4) Any vacancy in any Council shall be filled by the Governor appointing or nominating a duly qualified person to fill the vacancy.

(5) For the purposes of this section a person shall be deemed to be qualified to be a councillor notwithstanding that such person is not enrolled in the electors roll of any town as provided by section 12 (1) (a) of the Municipal Corporations Laws, 1930 to 1938.

26 of 1930  
 44 of 1934  
 31 of 1937  
 1 of 1938

5. If any councillor, Mayor or Deputy Mayor shall—

- (a) wilfully fail to attend at three consecutive meetings of the Council, or
- (b) be absent from the municipal limits for more than four consecutive months save with the permission in writing of the Governor first obtained,

Absence of councillor, Mayor or Deputy Mayor from meetings of council.

such councillor, Mayor or Deputy Mayor shall be deemed to have vacated his office and the Town Clerk of the Municipal Corporation concerned shall forthwith report the matter in writing to the Commissioner who shall forward the report through the Colonial Secretary to the Governor for his information.

Duties and liabilities of persons appointed or nominated.

26 of 1930  
44 of 1934  
31 of 1937  
1 of 1938

6. Every person appointed or nominated under section 4 shall perform all the duties and exercise all the powers vested in Councils and in Mayors, Deputy Mayors or councillors, as the case may be, under the provisions of the Municipal Corporations Laws, 1930 to 1938, and shall be vested with and be subject to all the incidents and liabilities appertaining to their respective offices.

Powers of the Governor to be additional.

26 of 1930  
44 of 1934  
31 of 1937  
1 of 1938

7. The powers conferred upon the Governor by this Law shall be in addition to and not in derogation of any other powers conferred upon the Governor by or under the Municipal Corporations Laws, 1930 to 1938.

Application of Law.

8. The provisions of this Law shall apply—

(a) to any town or village or collection of towns or villages which is a Municipal Corporation on the date of the commencement of this Law, and

(b) to any town or village or collection of towns or villages which, at any time after the commencement of this Law, is proclaimed or declared by the Governor to be a Municipal Corporation by virtue of, and in accordance with, the provisions of the Municipal Corporations Laws, 1930 to 1938.

26 of 1930  
44 of 1934  
31 of 1937  
1 of 1938

Repeal and saving.

16 of 1934

9. The Municipal Corporations (Appointment of Councils) Law, 1934, is hereby repealed :

Provided that all persons appointed or nominated councillors, Mayors or Deputy Mayors under the provisions of the Law hereby repealed and holding office on the date of the commencement of this Law shall be deemed to have been appointed or nominated under the provisions of this Law and shall, subject to the provisions of this Law, continue in office until the thirty-first day of March, 1940.

Duration of Law.

26 of 1930  
44 of 1934  
31 of 1937  
1 of 1938

10. This Law shall continue in force until Councils, elected under the provisions of the Municipal Corporations Laws, 1930 to 1938, in pursuance of an Order of the Governor made under section 3 of this Law, come into office, and shall then expire.