

No. 21 OF 1949.

A LAW TO AMEND THE RURAL CONSTABLES LAWS,
1932 TO 1947.

R. E. TURNBULL,]

[30th March, 1949.

Officer Administering the Government.

BE it enacted by His Excellency the Officer Administering the Government and Commander-in-Chief of the Colony of Cyprus as follows :—

1. This Law may be cited as the Rural Constables (Amendment) Law, 1949, and shall be read as one with the Rural Constables Laws, 1932 to 1947 (hereinafter referred to as "the principal Law"), and the principal Law and this Law may together be cited as the Rural Constables Laws, 1932 to 1949.

Short title.
62 of 1932
52 of 1934
13 of 1937
7 of 1942
19 of 1943
29 of 1944
21 of 1947

Amendment
of section 2
of the
principal
Law.

2. Section 2 of the principal Law is hereby amended by the deletion therefrom of the definition "Produce" and the substitution therefor of the following definition :—

" 'Produce' means crops, fruit or other realizable yield of land or of trees and the yield of flocks of sheep, goats or of sheep and goats."

Amendment
of section 9
of the
principal
Law.

3. Sub-section (3) of section 9 of the principal Law (as set out in Law 52 of 1934) is hereby amended by the deletion therefrom of the words "ten per centum" (line 4) and the substitution therefor of the words "twenty-five per centum".

Amendment
of section 13
of the
principal
Law.

4. Section 13 of the principal Law is hereby amended as follows :—

(a) by the deletion therefrom of sub-section (5) and the substitution therefor of the following sub-section :—

" (5) Save as provided in sub-sections (3) and (4) of this section or as may be 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, and shall, within the area within which he is appointed to act, perform the following duties and have the following powers and no others :—

- (i) to keep watch over the fields, gardens, vineyards, crops, trees and waters of the party appointing him ;
- (ii) to patrol by night and day the lands of the party appointing him in such manner as such party or his nominee may direct or the necessities of the time or place may require ;
- (iii) to assess any damage done to any property over which he keeps watch and to report the same as soon as possible to the party appointing him or his nominee and, if so directed by such party or nominee, to serve, within three days of the date of assessment, a notice upon the owner of the animals causing the damage or the person in charge of such animals calling upon him to pay the assessment."

(b) by the insertion therein of the following sub-section immediately after sub-section (5):—

“(5A) If the assessment of a special rural constable appointed under this section is unacceptable to the owner of the animals which caused the damage or the person in charge of such animals, such owner or person in charge may, within ten days of the service upon him of the notice referred to in paragraph (iii) of sub-section (5), appeal to the Commissioner whose decision in the matter shall be final and conclusive.

(5B) An assessment by a rural constable or the decision of the Commissioner, as the case may be, may be lodged with the Registrar of the District Court of the district in which the property in respect of which the damage has been assessed is situate, and thereupon the assessment or decision may be enforced in the same manner as an order of such Court.”

5. Sub-section (5) of section 13A of the principal Law (as set out in Law 19 of 1943) is hereby repealed and the following sub-section substituted therefor:—

Amendment of section 13A of the principal Law.

“(5) Save as provided in sub-sections (3) and (4) of this section or as may be specifically provided in any other section of this Law, the provisions of sub-sections (5), (5A) and (5B) of section 13 of this Law shall apply *mutatis mutandis* to special rural constables appointed under this section as they apply to special rural constables appointed under that section.”

6. Paragraph (b) of section 18 of the principal Law is hereby repealed and the following paragraph substituted therefor:—

Amendment of section 18 of the principal Law.

“(b) is over the age of fifty-five years; or”.

7. Paragraph (b) of sub-section (2) of section 23 of the principal Law (as amended by Law 52 of 1934) is hereby amended by the deletion therefrom of the proviso thereto.

Amendment of section 23 of the principal Law.

8. Sub-section (1) of section 25 of the principal Law is hereby amended by the deletion therefrom of the words “two shillings” (line 7) and the substitution therefor of the words “five shillings”.

Amendment of section 25 of the principal Law.

9. Sub-section (1) of section 27 of the principal Law is hereby amended as follows:—

Amendment of section 27 of the principal Law.

(a) by the deletion in paragraph (a) of the words “two pounds” and the substitution therefor of the words “five pounds”;

(b) by the insertion therein, immediately after paragraph (j), of the following paragraph:—

“(k) that no claim shall be heard in respect of any trespass or damage unless the same is made within six months from the day of the trespass or damage in respect of which the claim is made.”

Repeal of section 28 and substitution of new section.

10. Section 28 of the principal Law (as set out in Law 52 of 1934) is hereby repealed and the following section substituted therefor:—

“Appeals.

28. Any person aggrieved by any decision of a Village Commission or Group Commission involving an amount exceeding one pound 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.”

30th March, 1949.

H. G. RICHARDS,
Acting Colonial Secretary.