

CAP. 240.

CYPRUS

MUNICIPAL CORPORATIONS

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CHAPTER 240.

MUNICIPAL CORPORATIONS

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Short title.

TO ESTABLISH MUNICIPAL CORPORATIONS AND TO CONSOLIDATE WITH AMENDMENTS THE LAWS RELATING TO MUNICIPALITIES.

[10th June, 1930.]

1. This Law may be cited as the Municipal Corporations Law.

Interpretation.

2. In this Law—

“building” means any construction whether of stone, concrete, mud, iron, wood or other material and includes any foundation, wall, roof, chimney, verandah, balcony, cornice or projection or part of a building, or

anything affixed thereto, or any wall, earthbank, fence, paling or other construction enclosing or delimiting or intended to enclose or delimit any land or space;

“ Christian electors ” and “ Christian votes ” shall be deemed to include all electors not being Moslems and the votes of such electors;

“ cinematograph exhibition ” means any exhibition of pictures or other optical effects presented by means of a cinematograph or other similar apparatus, whether accompanied by spoken words or not;

“ Commissioner ” in relation to a municipal corporation means the Commissioner of the district within which the municipal limits of such corporation are situated;

“ council ” means the council of a municipal corporation constituted in accordance with the provisions of this Law;

“ councillor ” means a duly elected member of a council;

“ elector ” means a person enrolled as an elector in accordance with the provisions of this Law;

“ election ” means the election of a candidate as a councillor;

“ medical officer of health ” means a medical officer of health appointed by a council and includes a District Medical Officer and a Rural Medical Officer;

“ municipal corporation ” means a corporation established under the provisions of this Law;

“ municipal limits ” means the limits of a municipal corporation determined in accordance with the provisions of this Law;

“ stage play ” includes any tragedy, comedy, farce, opera, melodrama, dialogue, pantomime, circus, dancing, singing, music, or other public entertainment of the like kind;

“ street ” includes any square, road, bridle-path, pathway, blind-alley, passage, footway, pavement or public place;

“ town ” means the town or village or collection of towns or villages comprised within any municipal limits. 2 of 23/42.

PART I.

MUNICIPAL CORPORATIONS AND COUNCILS.

Certain
towns to be
municipal
corporations.

3. (1) Every town in the Colony which at the coming into operation of this Law has a municipal council shall be a municipal corporation.

(2) The Governor may, at his discretion, if authorized thereto by a resolution of the Legislative Council, proclaim any town or village or collection of towns or villages a municipal corporation.

Such proclamation shall be published in the Gazette.

(3) When the Governor declares any town or village or collection of towns or villages to be a municipal corporation under the provisions of subsection (2) hereof he shall fix such days, times and places and nominate such officers and persons for the purpose of an election or otherwise and do such other acts and give such directions as may appear to him to be necessary for applying this Law to such corporation upon the constitution thereof.

Name, etc.,
of
municipal
corporation.

4. The municipal corporation of a town shall bear the corporate name of the mayor, deputy mayor, councillors and townsmen of the town, and shall have perpetual succession, a corporate seal and the right to sue and be sued in its corporate name.

Townsmen.
3 of 23/42.

5. (1) No person shall be deemed a townsman for any purpose of this Law unless he is enrolled as an elector.

2 of 19/45.

(2) A person shall not be entitled to be enrolled as an elector unless he is qualified as follows—

(a) is a male person of twenty-one years of age or over; and

(b) is, on the tenth day of January of the year in which the electors lists are prepared, ordinarily resident within the municipal limits and has actually resided therein during the two years prior thereto:

2 of 34/48.

Provided that no person shall be deemed not to have actually resided within the municipal limits if—

(a) being a person who is ordinarily resident therein on the aforementioned date, he

has been temporarily absent therefrom for occasional periods of short duration ;
or

(b) being a person who was ordinarily resident therein on the date on which he joined any of Her Majesty's Forces or any Allied, Dominion or Colonial Force, he has been absent therefrom on service with any of such Forces.

6. The Governor may, by notice to be published in the Gazette, fix, alter, extend or diminish the municipal limits. Determination of municipal limits.

7. The Governor may at his discretion, if authorized thereto by a resolution of the Legislative Council, abolish any municipal corporation and thereupon the affairs of the town or village or collection of towns or villages shall be managed and all property of such corporation shall vest as though such municipal corporation had never existed, and the Governor shall do such acts and give such directions as may be necessary for carrying out the provisions of this section. Power to abolish municipal corporation.

8. (1) Municipal corporations shall be capable of acting by a council and such council shall exercise all the powers lawfully vested in the municipal corporation. Municipal corporations to act by a council.

(2) The council shall consist of councillors one of whom shall be mayor and one of whom shall be deputy mayor.

9. The councillors shall be fit persons elected by the electors of a town as in this Law provided. Councillors.

10. The Governor in Council shall from time to time direct the number of councillors for each council: Number of councillors.

Provided that such number, including the mayor and deputy mayor, shall be not less than six nor more than twenty: 3 of 34/48.

Provided also that the number of Christian councillors and the number of Moslem councillors shall, so far as possible, be in the same proportion as are the numbers of Christian adult male residents and Moslem adult male

residents respectively within the municipal limits as ascertained by the last census.

Such direction shall be final and conclusive.

Duration of
councils.
4 of 23/42.

11. The duration of a council shall be four years from the first day of June next after the election of the first members thereof:

Provided—

3 of 19/45.
4 of 34/48.

(a) if any general election for a new council shall be declared void under the provisions of section 26 or 46 of this Law or for any reason any such election is not held in accordance with the provisions of this Law the duration of the council then existing shall be extended until one week after a valid election has been held;

(b) the duration of any council coming into office after the first day of June in any year shall be to such date as shall be four years from the day when the preceding council would have expired save for the provisions of paragraph (a) of this proviso;

(c) when any election is held under the provisions of section 62 of this Law the duration of the council so elected shall be to the date when the preceding council would have expired save for the provisions of that section.

Qualifi-
cation of
councillors.
5 of 23/42.

12. (1) A person shall not be qualified to be elected or to be a councillor of any town, if—

(a) (i) he is not a British subject; and

(ii) he is not a male person enrolled in the electors roll of such town in force for the time being; or

(b) he is a Judge of any Court in the Colony; or

(c) he holds any office of profit, other than that of mayor, under or in the gift of the municipal corporation of such town; or

(d) he is concerned directly or indirectly by himself or his wife or his partner in any loan by, or bargain or contract entered into with, the municipal corporation of such town or participates in the profit of any such bargain or contract or in the

profit of any work done under the authority of such corporation:

Provided that a person shall not be disqualified hereunder by reason only—

(i) that he is interested in the sale or lease of any premises to or the loan of any money to such corporation; or

(ii) that he is interested in any newspaper in which any advertisement relating to the affairs of such corporation is inserted; or

(iii) that he is interested in any contract between such corporation and any anonyne company or company with limited liability as a shareholder, and not being a director, manager, officer or agent of such company:

Provided that such councillor shall not take part in any discussion upon or vote upon any question directly affecting the affairs of such company; or

(e) he is a person who, having been surcharged or charged by the Director of Audit under the provisions of section 117 hereof, has not made good the surcharge or charge to the municipal corporation to the satisfaction of the Director of Audit, at least three days before the date fixed in the notice prepared, signed and published by the returning officer under the provisions of section 19 hereof: 4 of 19/45.

Provided that no person shall be disqualified under the provisions of this paragraph by reason of a surcharge or charge which is the subject of an appeal, still pending, before the Governor in Council; or

(f) he is an undischarged bankrupt; or

(g) he is a lunatic or person of unsound mind; or

(h) within a period of two years next before the election he has been, or having been elected he is, convicted, either on information or summarily, of any crime and sentenced to imprisonment for six months or more, without the option of a fine, and has not received a free pardon in respect of such crime.

(2) Any person who having been ineligible at the time of his election or whilst subject to any of the disqualifications

herein mentioned shall sit or vote in a council shall for every day on which he sits or votes forfeit the sum of five pounds to be recovered by action in any District Court by any person who shall sue for the same; provided that such action is commenced within two months after the cause of action arose.

Electors
lists.
5 of 34/48.

13. (1) There shall be for each municipal corporation a list of Christian electors and a list of Moslem electors, which shall be called electors lists.

First
Schedule,
Part I.

(2) The electors lists shall be prepared and revised every four years in accordance with the Regulations in Part I of the First Schedule to this Law.

Electors
rolls.
5 of 34/48.
First
Schedule,
Part I.

14. (1) The electors lists transmitted to the Commissioner by the Revising Judge in accordance with the Regulations in Part I of the First Schedule to this Law, as may be revised from time to time as in section 15 of this Law provided, shall be the electors rolls for the Christian electors and for the Moslem electors, respectively, of the municipal corporation concerned and shall remain in operation during the four years in respect of which they were prepared.

(2) The name of any person shall not appear more than once in any electors roll, nor in more than one such roll of any municipal corporation.

(3) In this Law—

“ Revising Judge ” means a member of a District Court nominated by the Chief Justice for the purposes of this Law.

Annual
revision of
electors
rolls.
5 of 34/48.
First
Schedule,
Part II.

15. The electors rolls shall, during each one of the three years following the year of their preparation and revision in accordance with the Regulations in Part I of the First Schedule to this Law, be revised in accordance with the Regulations in Part II of the First Schedule to this Law.

Inspection
and copies
of electors
rolls.
5 of 34/48.

16. The electors rolls of every municipal corporation shall be kept open to inspection at the office of the Commissioner during office hours by every elector thereon and copies thereof signed by the Commissioner may be obtained by any person upon payment of four hundred mils for every hundred names in such copy.

17. (1) The Commissioner shall cause to be prepared in respect of every person whose name appears on the electors roll a card (hereinafter in this Law referred to as "the voters card") in the form set forth in the Second Schedule to this Law and all such cards shall be kept by the Commissioner to be used in connection with any election by poll which may take place.

Voters cards
and voters
notes.
5 of 34/48.
Second
Schedule.

(2) Where an election by poll is to take place, the Commissioner shall, upon application, supply any person whose name appears on the electors rolls with a note (hereinafter in this Law referred to as "the voters note") showing the name of such person, the number of his voters card and the polling station at which he may vote:

Provided that applications under this subsection—

- (a) shall be made during office hours and not later than noon of the day preceding the day of the election by poll; and
- (b) shall be made either orally by the applicant himself or in writing to be handed in to the Commissioner's office either by the applicant or by a person duly authorized by him to take the applicant's voters note.

(3) Any person who forges a voters card or a voters note shall be guilty of an offence and shall, on summary conviction, be liable to a fine not exceeding twenty-five pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

18. The Commissioner shall be the returning officer for the election of councillors for a municipal corporation.

Returning
officer.

19. On or before the 1st day of May—

- (a) next following the occurrence of a vacancy in a council; or
- (b) next following the expiration of a council under the provisions of section 62 hereof; or
- (c) in every year in which the period of duration of a council expires,

Notice of
election.
10 of 19/45.

the returning officer shall prepare, sign and publish a notice in the form set out in the Third Schedule to this Law.

Third
Schedule.

20. The nomination of candidates for the office of councillor shall be conducted in accordance with the Regulations in the Fifth Schedule to this Law.

Nomination
of candi-
dates.
Fifth
Schedule.

Deposit by
candidates.

21. (1) Every candidate for the office of councillor who shall be nominated therefor shall deposit with the returning officer the sum of twenty-five pounds.

(2) No candidate who has not complied with the provisions of subsection (1) hereof shall be elected by poll or otherwise, to the office of councillor.

Return of
deposit.

22. (1) The deposit made by a candidate under the provisions of section 21 hereof shall be returned to such candidate by the returning officer,

(a) if he is elected a member of the council; or

7 of 23/42.

(b) if being a Christian he obtains not less than twenty per centum of the total Christian votes validly polled or being a Moslem he obtains not less than twenty per centum of the total Moslem votes validly polled; or

(c) if he shall resign his candidature as provided in section 23, subsection (4), hereof.

If he shall not be elected nor obtain such percentage of votes nor resign his deposit shall be forfeited and shall be paid into the town fund.

(2) If any candidate who has made a deposit shall die before the election his deposit shall be returned to his heirs.

Election
where no
poll
necessary.

23. (1) If, at the expiration of one hour after the time appointed for the election, no more candidates stand nominated than there are vacancies to be filled, and the candidates so standing nominated shall be Christians and Moslems in the same proportion as are the numbers of Christian and Moslem vacancies on the council, the returning officer or his representative shall declare all the candidates who may stand nominated to be elected.

(2) If the number of the candidates who so stand nominated be not divided in the same proportion as the number of Christian and Moslem vacancies on the council, the returning officer or his representative shall declare those candidates, either Christian or Moslem, as the case may be, who shall not exceed the number of vacancies for which they are eligible under the provisions of this Law, to be elected; and shall for the purpose of filling up the other vacancies, adjourn the election in order that a poll may be taken in manner in this Law provided.

(3) If, at the expiration of one hour after the time appointed for the election, more Christian and Moslem

candidates stand nominated than there are respectively Christian and Moslem vacancies to be filled, the returning officer or his representative shall adjourn the election in order that a poll shall be taken in manner in this Law provided.

(4) Any candidate duly nominated for election may resign his candidature at any time prior to the day of the poll by giving notice in writing signed by himself to the returning officer, and the returning officer shall accept and act upon such notice if he shall be satisfied that the signature is the signature of the candidate resigning his candidature.

(5) If at the time fixed for the commencement of taking the poll, no more candidates stand nominated than there are vacancies to be filled, and the candidates so standing nominated shall be Christians and Moslems in the same proportion as are the numbers of Christian and Moslem vacancies on the council, the returning officer or his representative shall declare all the candidates so standing nominated to be elected.

24. (1) Where any election is by a poll such poll shall take place—

Election
by poll.

(a) in accordance with the Regulations in the Sixth Schedule to this Law; and

Sixth
Schedule.

(b) under the control of some person or persons nominated in that behalf by the returning officer, who shall be called the presiding officer or presiding officers.

(2) Any candidate or his duly appointed representative shall be entitled to be present at an election by poll.

(3) The presiding officer shall give such directions as will insure order being kept during the poll.

25. (1) At every election Christian electors shall vote for Christian candidates only and Moslem electors shall vote for Moslem candidates only.

Manner of
voting.

(2) No elector shall give more than one vote to any candidate.

26. (1) The Christian and Moslem candidate receiving the greatest number of votes shall, subject to the provisions of subsection (3) hereof, be publicly declared by the returning officer to be elected to fill the first vacancy for a Christian

Declaration
of result
of election.

or Moslem councillor respectively. The Christian and Moslem candidate receiving the next greatest number of votes shall in the same manner be declared to be elected to fill the second Christian or Moslem vacancy respectively, and so on in like manner until all the vacancies have been filled:

Provided that if one or more vacancies among the Christian or Moslem councillors is or remain to be filled and two or more Christian or Moslem candidates have received an equal number of votes such vacancy or vacancies shall be filled by the drawing of lots by such candidates or their duly appointed representatives, under the supervision of the returning officer and the candidate or candidates upon whom the lot falls shall be declared duly elected.

(2) Upon the declaration of election of any candidate or candidates the returning officer shall forthwith, in writing, report to the Administrative Secretary the name or names of such candidates, who shall, unless the Governor considers than an election in accordance with this Law has not been held, cause the name or names of such candidates to be published in the Gazette.

(3) If the returning officer considers that from any cause an election in accordance with this Law has not been held he shall withhold the public declaration of the result of such election, and forthwith, in writing, furnish a report to the Administrative Secretary for the information of the Governor.

(4) If for any reason the Governor is of opinion that any election has not been held in accordance with this Law, he shall by proclamation declare such election to be void and order another election to be held at the earliest possible date.

Omission
to hold
election on
appointed
day.

27. (1) If an election is not held on the appointed day, it shall be held on the day next following the appointed day. If the election is not held on such next day the Governor shall appoint a day upon which the election shall be held.

(2) If the Governor shall appoint a day for the holding of an election under the provision of subsection (1) hereof the returning officer shall publish, and keep published for six days before the date thereof, notice of such election, and save as aforesaid such election shall be conducted in accordance with the provisions of this Law.

28. Every person who—

Certain
offences at
elections.

- (a) forges or fraudulently defaces or destroys any nomination paper, or delivers to the presiding officer any nomination paper knowing the same to be forged; or
- (b) wilfully obstructs, or by threats or violence interferes with, any voter while on the way to vote or while in the polling station; or
- (c) without due authority takes, opens or otherwise interferes with any ballot box; or
- (d) in any way wilfully interrupts or impedes an election,

shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

29. Any person who at an election held under this Law applies for a voting ticket in the name of some other person, whether that name be that of a person living or dead or of a fictitious person, or who, having voted once at any such election, applies at the same election for a voting ticket in his own name, shall be guilty of the offence of personation, and every person so guilty or who is guilty of the offence of aiding, abetting, counselling, or procuring the offence of personation, shall be liable, on summary conviction, to a fine not exceeding twenty pounds or to imprisonment for any term not exceeding three months, or to both such fine and imprisonment.

Personation.

30. (1) Any person who corruptly by himself or by any other person, either before, during or after an election held under this Law, directly or indirectly, gives or provides, or pays wholly or in part the expense of giving or providing any meat, drink, entertainment or provision to or for any person, for the purpose of corruptly influencing that person, or any other person to give or refrain from giving his vote at such election, or on account of such person or any other person having voted or refrained from voting, or being about to vote or refrain from voting, at such election, shall be guilty of the offence of treating, and shall be liable on summary conviction to a fine not exceeding twenty pounds, or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

Treating.

(2) Every elector who corruptly accepts or takes any such

meat, drink, entertainment or provision shall be guilty of the offence of treating, and shall be liable on summary conviction to the penalty in this section specified.

Undue
influence.

31. Every person who, directly or indirectly, by himself or by any other person on his behalf, makes use of or threatens to make use of any force, violence or restraint or inflicts or threatens to inflict, by himself or any other person any temporal or spiritual injury, damage, harm or loss upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting at any election held under this Law, or who by abduction, duress or any fraudulent device or contrivance impedes or prevents the free exercise of the franchise of an elector or thereby compels, induces or prevails upon any elector, either to give or refrain from giving his vote at any such election, shall be guilty of the offence of undue influence, and shall be liable on summary conviction to a fine not exceeding twenty pounds, or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

Bribery.

32. (1) The following persons shall be deemed guilty of the offence of bribery, and shall be liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment—

(a) every person who, directly or indirectly, by himself or any other person on his behalf, gives, lends, or agrees to give or lend, or offers, promises, or promises to procure or to endeavour to procure, any money or valuable consideration to or for any elector, or to or for any person on behalf of any elector, or to or for any other person, in order to induce any elector to vote or refrain from voting, or corruptly does any such act as aforesaid on account of such elector having voted or refrained from voting at any election under this Law;

(b) every person who, directly or indirectly, by himself or by any other person on his behalf, gives or procures, or agrees to give or procure, or offers, promises to procure or to endeavour to procure, any office, place or employment to or for any elector or to or for any person on behalf of any elector or to or for any other person in order to

induce such elector to vote or refrain from voting, or corruptly does any such act as aforesaid on account of any elector having voted or refrained from voting at an election under this Law;

- (c) every person who, directly or indirectly, by himself or by any other person on his behalf, makes any such gift, loan, offer, promise, procurement or agreement as aforesaid to or for any person in order to induce such person to procure or endeavour to procure the return of any person as a member of the council, or the vote of any elector at an election under this Law;
- (d) every person who, upon or in consequence of any such gift, loan, offer, promise, procurement or agreement, procures or engages, promises or endeavours to procure the return of any person as a member of the council, or the vote of any elector at any election under this Law;
- (e) every person who advances or pays or causes to be paid any money to or for the use of any other person, with the intent that such money or any part thereof shall be expended in bribery at any election under this Law or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any such election:

Provided always that the provisions of this section shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses *bona fide* incurred at or concerning any election.

(2) The following persons shall also be deemed guilty of the offence of bribery, and shall be liable on summary conviction to the penalty specified in this section—

- (a) every elector who, before or during an election under this Law, directly or indirectly, by himself or by any other person on his behalf, receives, agrees or contracts for any money, gift, loan or valuable consideration, office, place or employment, for himself or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any such election;

(b) every person who, after any election under this Law, directly or indirectly, by himself or by any other person on his behalf, receives any money or valuable consideration on account of any person having voted or refrained from voting or having induced any other person to vote or refrain from voting at any such election.

Disqualifi-
cation for
bribery, etc.

33. Any person who is convicted under this Law of bribery, treating, undue influence, illegal practice or personation or of aiding, counselling or procuring the commission of the offence of personation, shall, in addition to any other punishment—

(a) cease, if he shall be a member thereof, to be a member of the council in the election for which such offence was committed; and

(b) be disqualified from voting at and from being a candidate at any election for a council for such period, not exceeding seven years, as the Court upon such conviction shall order.

Certain
expenditure
to be illegal
practice.

34. (1) No payment or contract for payment shall, for the purpose of promoting or procuring the election of a candidate to a council be made—

(a) on account of the conveyance of the electors to or from the poll whether for the hiring of horses or carriages or motor vehicles or for railway fares or otherwise; or

(b) on account of the hire of any committee room or other premises in connection with the election in excess of the number of such rooms or premises as shall be authorized by the Governor for any election.

(2) If any payment or contract for payment is knowingly made in contravention of this section either before, during or after an election the person making such payment or contract shall be guilty of an illegal practice, and the person receiving such payment or being a party to any such contract knowing the same to be in contravention of this Law shall be guilty of an illegal practice.

Certain
expenditure
to be illegal.

35. (1) No payment or contract for payment shall for the purpose of promoting or procuring the election of a candidate to a council be made on account of bands of music, torches, flags, banners, cockades, ribbons or other marks of distinction.

(2) If any payment or contract for payment is made in contravention of this section either before, during or after an election the person making such payment shall be guilty of an illegal payment and any person being party to such contract or receiving such payment shall be guilty of illegal payment if he knew that the same was contrary to law.

36. (1) No person shall, for the purpose of promoting or procuring the election of a candidate, be engaged or employed by or on behalf of such candidate for payment or promise of payment for any purpose or in any capacity whatever, except as follows, that is to say—

Certain employment to be illegal.

(a) a number of persons may be employed, not exceeding two as clerks and messengers, or in either capacity, and

(b) one polling agent may be employed in each polling station:

Provided that this section shall not apply to any engagement or employment for carrying into effect a contract *bona fide* with any person in the ordinary course of business.

(2) If any person is engaged or employed in contravention of this section, either before, during or after an election, the person engaging or employing him shall be guilty of illegal employment, and the person so engaged or employed shall also be guilty of illegal employment if he knew that he was engaged or employed in contravention of this Law.

37. The provisions of this Law prohibiting certain payments and contracts for payment, and the payment of any sum, and the incurring of any expense, in excess of a certain maximum, shall not affect the right of any creditor who, when the contract was made or the expense was incurred, was ignorant of the same being in contravention of this Law.

Saving for creditors.

38. (1) No sum shall be paid and no expense shall be incurred by or on behalf of a candidate at an election for a council whether before, during or after an election on account of or in respect of the conduct or management of such election save that a sum may be paid and expenses incurred not in excess of twenty pounds:

Limit of election expenses.
11 of 19/45.

Provided that where there are two or more joint candidates the maximum amount of expenses shall, if there are two joint candidates for each such joint candidate be reduced by one-fourth, or if there are more than two joint candidates by one-third.

(2) Where two or more candidates at the election, by themselves or any agent or agents, hire or use the same committee rooms or premises for such election, or employ or use the services of the same clerks, messengers, or polling agent at such election, or publish a joint address or joint circular or notice at such election, those candidates shall be deemed for the purposes of this section to be joint candidates at such election.

(3) Any candidate who acts in contravention of this section shall be guilty of an illegal practice.

Return of expenses.

39. (1) Within seven days after the day of the election of a councillor every candidate at such election shall send to the Commissioner a return of all expenses incurred by such candidate or his agents on account of or in respect of the conduct or management of such election vouched (except in the case of sums under twenty shillings) by bills, stating the particulars and receipts and accompanied by an affidavit made before a Registrar of any District Court in the form set forth in the Fourth Schedule hereto.

Fourth Schedule.

(2) If any candidate fails without reasonable cause to make the said return and affidavit within the time specified in subsection (1) hereof he shall be guilty of an illegal practice, and if he knowingly makes the said affidavit falsely he shall be guilty of an offence and on conviction therefor on information shall be liable to the punishment by law provided for perjury.

Penalty for illegal practice.

40. Any person guilty of an illegal practice as in this Law provided shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

Penalty for illegal payment or employment.

41. (1) Any person guilty of an offence of illegal payment or employment as in this Law provided shall, on summary conviction, be liable to a fine not exceeding twenty pounds.

(2) Where an offence of illegal payment or employment is committed by a candidate, or with his knowledge and consent, such candidate shall be guilty of an illegal practice.

Limitation on prosecutions.

42. (1) Prosecutions for personation, treating, undue influence or bribery or illegal practice, illegal payment or illegal employment under this Law shall only be instituted—

(a) within one month of the publication in the Gazette

of the result of the election at which the offence is alleged to have been committed; and

- (b) by some private person being an elector entitled to vote at the election at which the offence is alleged to have been committed; or
- (c) by the police, with the consent of the Attorney-General.

(2) No summons shall be issued under this section at the instigation of any private person unless and until the person applying therefor shall deposit with the Registrar of the District Court to which such application is made the sum of twenty pounds in respect of each defendant. The sum deposited in respect of each person convicted shall be returned to such applicant, the sum deposited in respect of each person acquitted shall be dealt with in such manner as the Court before whom such person is acquitted shall order.

43. (1) The election of any councillor to a council may be questioned by an election petition on the ground—

Power to question municipal election by petition.

- (a) that the election was avoided by bribery, treating, undue influence or personation, as provided by this Law; or
- (b) that illegal practices or illegal payment or employment may be reasonably supposed to have affected the result of the election; or
- (c) that the person elected was at the time of the election disqualified from being elected under this Law; or
- (d) that the person elected was not duly elected by a majority of lawful votes.

(2) Subject to the provisions of section 33 hereof, the election of a councillor shall not be questioned on any of the grounds set out in subsection (1) hereof save by an election petition.

44. An election petition shall be presented—

Presentation of election petition.

- (a) to the Supreme Court of the Colony; and
- (b) within fifteen days of the publication in the Gazette of the result of the election in respect of which the petition is presented; and
- (c) by one or more of the following persons—
 - (i) any person who voted or had a right to vote at the election in respect of which the petition is presented, or

(ii) any person who claims to have had a right to be returned or elected at such election, or

(iii) any person who alleges himself to have been a candidate at such election.

Trial of
election
petition.

45. (1) Every election petition shall be tried by a Judge of the Supreme Court in open Court.

(2) At the conclusion of the trial of an election petition the Judge shall determine—

(a) whether the municipal councillor of whose election complaint has been made was duly elected, or

(b) whether any other person, and if so what person, was duly elected, or

(c) whether the election was void,

and shall certify under his hand such determination to the Governor, and upon such certificate being given such determination shall be final, and the return shall be confirmed or altered or a new election shall be held as may be required by and in accordance with such certificate.

Declaration
by
Governor.

46. (1) The Governor shall upon the giving of the certificate provided for in the preceding section hereof, by notification in the Gazette, declare whether the candidate whose return or election is questioned by such petition or any other and what person is duly elected or whether the election is void.

2 of 12/43.

(2) If the Governor declares a general election to be void he shall by the same or a subsequent notification in the Gazette appoint a date for the election of candidates for the council concerned.

Power to
make Rules
for conduct
of petition.

47. The Governor, with the advice and assistance of the Chief Justice, may make Rules of Court for regulating the practice and procedure to be observed on election petitions:

Provided that until any such Rules are made the provisions of the Rules of Court, 1927, and any amendment thereof, as to election petitions shall apply to election petitions under this Law.

Offences by
candidate.

48. (1) The election of a candidate shall be avoided and shall be invalid if he commits in connection with his election any of the following offences as provided in this Law, that is to say—personation, treating, undue influence, bribery or illegal practice.

(2) A candidate shall be deemed for the purpose of this section to commit an offence if it is committed with his knowledge and consent, or by any person who is acting under the special authority of such candidate with reference to the election.

49. Where upon the trial of an election petition respecting a municipal election it is found by the Court that illegal practices or offences of illegal payment or employment committed in reference to such election for the purpose of promoting the election of a candidate at that election have so extensively prevailed that they may be reasonably supposed to have affected the result of that election the Court may certify, under the provisions of section 45 hereof, the election of such candidate, if he was elected, to be void.

Avoidance of election for extensive illegal practice, etc.

50. No election shall be invalid by reason only of any non-compliance with the Regulations in the Fifth and Sixth Schedules to this Law if it appears that the election was conducted in accordance with the principles laid down in such Regulations, or that such non-compliance did not affect the result of the election.

Non-compliance with Regulations as to elections and polls. Fifth and Sixth Schedules.

51. Every bill, placard or poster having reference to a municipal election shall bear upon the face thereof the name and address of the printer and publisher thereof, and any person printing, publishing or posting, or causing to be printed, published or posted, any such bill, placard or poster as aforesaid, which fails to bear upon the face thereof the name and address of the printer and publisher, shall, if he is a candidate, be guilty of an illegal practice, and if he is not the candidate, shall be liable on summary conviction to a fine not exceeding twenty-five pounds.

Name and address of printer on placards.

52. A councillor may resign his office as councillor by giving notice in writing to the mayor or deputy mayor.

Resignation of councillor.

53. If any member of a council, including the mayor or deputy mayor, shall—

Absence of councillor from meeting of council.

(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,

such person shall thereupon become disqualified to sit as a councillor, and the council shall declare his place upon the council to be void:

Provided that the provisions of this section shall not apply to any councillor whose absence from the council or from the municipal limits is due to illness or is with the permission of the council:

Provided also that any person aggrieved by any such decision of a council may appeal to the Governor in Council whose decision shall be final and conclusive.

Taking
office by
councillors.
3 of 12/43.
12 of 19/45.

54. All persons elected as councillors under the provisions of this Law shall come into office on the 1st day of June next following their election:

Provided that—

- (a) if a general election shall be declared void or for any reason such an election is not held in accordance with the provisions of this Law, the councillors elected at a subsequent election held in consequence thereof shall come into office at the expiration of the duration of the existing council as provided in paragraph (a) of the proviso to section 11 of this Law;
- (b) when an election is held under the provisions of section 62 of this Law the councillors elected at such election shall come into office upon their election;
- (c) any councillor elected at a bye-election shall come into office upon his election.

Election of
mayor and
deputy
mayor.

55. (1) The Commissioner or his representative shall as soon as possible upon the constitution of a new council summon a meeting of the councillors thereof over which meeting he shall preside.

(2) The councillors shall at such meeting elect from among their number a mayor and deputy mayor. Such election shall be by open vote:

Provided that if any candidates shall receive an equal number of votes the election of such candidates shall be decided by the drawing of lots at such meeting under the supervision of the Commissioner:

Provided also that no person shall be qualified to be elected as or to be mayor or deputy mayor if he is an elected member of the Legislative Council.

(3) The Commissioner shall record the proceedings of such meeting in the minute book of the council, and shall sign such record.

56. The mayor and deputy mayor shall, subject to the provisions of section 57 hereof, hold office for the duration of the council by which they are elected.

Term of office of mayor and deputy mayor.

57. The mayor may resign by giving notice in writing to the Commissioner and to the council. The deputy mayor may resign by giving notice in writing to the mayor.

Resignation of mayor and deputy mayor.

58. If for any reason the mayor shall cease to hold office, the Commissioner shall summon a meeting of the council for the purpose of electing a mayor. The Commissioner shall preside over such meeting and the manner of electing a mayor shall be as in section 55, subsection (2), hereof provided. The mayor so elected shall hold office, subject to the provisions of section 57 hereof, for the duration of the council by which he was elected.

Vacancy in office of mayor.

59. If for any reason the deputy mayor shall cease to hold office the council shall elect another councillor as deputy mayor. The deputy mayor so elected shall hold office, subject to the provisions of section 57 hereof, for the duration of the council by which he was elected.

Vacancy in office of deputy mayor.

60. The mayor shall receive such annual stipend as the council shall, with the approval of the Governor, vote.

Mayor's stipend.

61. (1) The calling of meetings of the council and the proceedings thereat shall be regulated by Regulations from time to time to be made in that behalf by the council:

Meetings and proceedings of council.

Provided that until such Regulations are made by the council they shall be regulated by the Regulations contained in the Seventh Schedule to this Law:

Seventh Schedule.

Provided also that every Regulation made by a council under this section shall be subject to the approval of the Governor, and shall not come into operation until it shall have been approved by him and published in the Gazette.

(2) The mayor may, from time to time, appoint from among the members thereof such committees, either special or general, and consisting of such number of persons as the council thinks fit for any purpose which in the opinion of the council would be better regulated or managed by means of a committee. The acts and proceedings of such committees shall be submitted to the council for the approval thereof.

(3) The council may from time to time delegate to an executive committee consisting of the mayor, deputy mayor and two councillors all or any of the powers by this Law conferred upon the council other than—

- (a) the power of raising any loan; or
- (b) the power of making any rate; or
- (c) the power of making any contract.

(4) The mayor and council may respectively, from time to time, discharge, alter, discontinue or reconstitute any committee, and fill vacancies therein:

Provided that the constitution of an executive committee shall always be in accordance with subsection (3) hereof.

Council to be incapable of acting in certain cases.

62. (1) If at any time and for any reason the number of councillors capable of acting falls below one-third of the total number of councillors as directed in accordance with the provisions of section 10 hereof the council shall be deemed to have expired and the Governor shall appoint a municipal commission which shall have the powers and shall perform all the duties of the council which has so expired until another council shall be elected in accordance with the provisions of this section.

4 of 12/43.

The Governor may appoint, from among the members of such commission, a chairman and a deputy chairman who shall have the powers and shall perform all the duties of a mayor and of a deputy mayor, respectively.

13 of 19/45.

(2) On or before the 1st day of May next following the expiration of a council as provided in subsection (1) hereof the returning officer shall publish a notice of election and an election of candidates for the council shall be held in accordance with the provisions of this Law.

Effect of vacancy in council or committee.

63. (1) No act or proceeding of the council or of any committee thereof shall be deemed to be invalid by reason only of any vacancy in the council.

(2) For the purpose of ascertaining the number of councillors necessary to constitute a quorum of the council the total number of councillors to be elected shall be deemed to have been elected.

Minutes of council and committees.

64. The minutes of the council and of every committee thereof shall be signed by the mayor, deputy mayor or councillor presiding thereat, and when so signed shall be received in evidence without further proof.

65. Unless and until the contrary is proved every meeting of a council or of a committee thereof in respect of the proceedings of which a minute has been made shall be deemed to have been duly convened and held and all persons present thereat shall be deemed to have been duly qualified councillors, and where the proceedings are the proceedings of a committee such committee shall be deemed to have been duly constituted and to have had power to deal with the matter recorded in the minute.

Presump-
tion of due
constitution
of council or
committee.

66. It shall be the duty of the mayor—

(a) to see that all and every decision of the council is duly executed, and

(b) where such decision necessitates the expenditure of town funds, to see that such expenditure is in accordance with the estimates as approved by the council, unless special expenditure is authorized by the council with the approval of the Governor.

Executing
decisions
of council.

67. (1) The council may, and when required by the Commissioner so to do shall, appoint fit persons, not being members thereof, to all or any of the following principal offices, that is to say, the office of—

Appoint-
ment of
principal
officers.
8 of 23/42.

(a) town clerk;

(b) treasurer;

(c) municipal engineer;

(d) sanitary surveyor;

(e) medical officer of health:

Provided that one person may be appointed to the office of town clerk and treasurer.

(2) No person who is over sixty years of age shall be appointed to any of the offices enumerated in subsection (1) of this section.

(3) Every appointment under this section shall be subject to the approval of the Commissioner and shall not take effect until it is approved by him.

(4) Every person appointed under this section shall hold office during the pleasure of the council and shall receive such salary as the council with the approval of the Commissioner shall appoint:

Provided that no such person shall be dismissed or removed from office except—

(a) in accordance with a resolution of the council

passed by a majority of at least two-thirds of those councillors who shall be present at a meeting of the council specially convened for the purpose after notice of not less than seven or more than fourteen days before such meeting; and

(b) with the approval of the Commissioner.

(5) Every person who completes his sixtieth year of age while holding any of the offices enumerated in subsection (1) of this section shall cease to hold such office:

Provided that—

(a) by a resolution of the council passed by a majority of at least two-thirds of those councillors who shall be present at a meeting of the council specially convened for the purpose after notice of not less than seven or more than fourteen days before such meeting, and for special reasons recorded therein, and

(b) with the approval of the Commissioner, such person may continue in office thereafter for such period as may be specified in such resolution.

(6) A vacancy in any of the offices enumerated in subsection (1) of this section shall be filled, in accordance with the provisions of this section, within two months of its occurrence.

(7) If from any cause any person who holds any of the offices enumerated in subsection (1) of this section is temporarily unable to perform the duties of his office, the council may appoint a deputy to hold such office during the pleasure of the council, and such deputy may do all things and perform all acts which by law the officer for whom he is deputy is required to do or perform, and shall be liable to the same penalties for any failure therein.

Town clerk
to keep
records.

68. In addition to any other duties imposed on the town clerk by this Law, the town clerk shall have the charge and custody of and be responsible for the deeds, records and documents of the town which he shall keep as the council directs. He shall also keep the records of the proceedings of the council and committees thereof.

Appoint-
ment of
subordinate
officers.
9 of 23/42.

69. (1) The council may appoint fit persons, not being members thereof, to such subordinate offices as they think necessary for the purposes of this Law.

(2) The provisions of subsections (2), (4) and (5) of section 67 of this Law shall apply to every appointment made, and to every person appointed, under this section.

70. The council shall require every officer appointed by them to give such security as they think proper for the due execution of the duties of his office, and the mayor shall satisfy himself from time to time as to the existence and sufficiency of such security.

Security to
be given
by officers.

71. (1) Every officer appointed by the council shall at such times during the continuance of his office or within one month after his ceasing to hold it and in such manner as the council may direct, deliver to the council a true account in writing of all matters committed to his charge, and of his receipts and payments together with vouchers, and a list of persons from whom money is due to the council in connection with his office, showing the amount due from each such person.

Account-
ability of
officers.

(2) Every such officer shall pay all moneys due from him to the treasurer or otherwise as the council may direct.

(3) If any such officer—

(a) refuses or wilfully neglects to deliver any account or list which he ought to deliver or any voucher relating thereto or to make any payment which he ought to make; or

(b) after three days notice in writing, signed by the town clerk or by three members of the council, delivered to him or left at his usual or last known place of abode, refuses or delays to deliver to the council, or as they may direct, any book or document which he ought so to deliver, or to give satisfaction respecting it to the council or as they may direct,

the President of a District Court may, upon application on behalf of a municipal corporation and upon such terms and conditions as to him seem fit, require him to make such delivery or payment or to give such satisfaction.

(4) Any sum so ordered to be paid shall be deemed a civil judgment debt, and execution may forthwith issue with respect thereto.

(5) Any order, other than for the payment of money, made in pursuance of this section may, in the discretion of the President of the District Court, be enforced by ordering

the person in default to pay a sum not exceeding one pound for every day during which he is in default, or to be imprisoned until he has remedied his default:

Provided that a person shall not for non-compliance with the requisition of such President of the District Court (whether made by one or more orders) to do or abstain from doing any act or thing, be liable under this subsection to imprisonment for a period or periods amounting in the aggregate to more than three months or to the payment of any sums exceeding in the aggregate one hundred pounds.

(6) Proceedings under subsections (3) and (5) of this section shall be deemed to be civil proceedings.

(7) Nothing in this section shall affect any remedy by action against any such officer or his surety, except that the officer shall not be both sued by action and proceeded against under this section for the same cause.

Employment of servants or labourers.

72. The mayor may employ at the current rate of daily wages any servants or labourers required in the service of the municipal corporation to carry out any work for which provision is made in the current estimates, as approved by the council.

Officers or servants not to be interested in contracts.

73. No officer or servant of any council or municipal corporation shall be concerned or interested directly or indirectly by himself, his wife or his partner in any contract or work made with or executed for such council or municipal corporation. If any such officer or servant be so concerned he shall be incapable of holding any office or employment under such council or municipal corporation, and shall be liable, on summary conviction, to a fine not exceeding ten pounds:

Provided that no person shall be so incapacitated or so liable to any fine by reason only that he is a shareholder, not being a director, manager, officer or agent, of any anonyne company or company with limited liability which is a party to any contract with, or executes any work for such council or municipal corporation.

Contracts.
10 of 23/42.

74. (1) Contracts on behalf of the council shall be made in writing under the corporate seal and the hand of the mayor and any two councillors authorized by the council in that behalf:

Provided that contracts incidental to the ordinary conduct of the current business of the municipal corporation

may, subject to the provisions of the Contract Law, be made in writing or parol, as the case may be, on behalf of the corporation by the mayor, and any such contract made in writing may be varied or discharged in writing and any such contract made by parol may be varied or discharged in writing or parol: Cap. 149.

Provided also that contracts the duration of which will exceed the duration of the council making the same shall be subject to the approval of the Governor. 6 of 34/48.

(2) All contracts made in accordance with this section shall be affectual in law and shall bind the municipal corporation and the council for the time being and all the other parties thereto, their heirs, executors or administrators, as the case may be.

(3) Nothing in this section shall be deemed to affect the validity of any contract made on behalf of the council or the corporation before the date of the coming into operation of this Law.

75. All movable property and all immovable property vested in or held by any person on behalf of, and all rights and liabilities of, any municipal council or municipal commission of any town or village or collection of towns or villages which under the provisions of this Law becomes, or shall hereafter become a municipal corporation shall, without prejudice to the right of any person, vest in such municipal corporation. Vesting of property.

76. (1) All immovable property vested in a municipal corporation which is by any law or custom required to be registered in the books of the District Lands Office shall be registered in the name of the municipal corporation. Registra-
tion of
immovable
property of
municipal
corpora-
tions.
54, Vol. II,
604.

(2) Upon application being made to register any immovable property in the name of a municipal corporation or to do any act or thing required to be done in the District Lands Office, the mayor shall be the lawful attorney of the municipal corporation:

Provided that a copy of the resolution of the council in regard to such registration or act or thing as aforesaid and certified as a true copy by the mayor and at least one-half of the number of the councillors of the council shall be produced to the District Lands Officer.

(3) Upon application for registration under this Law there

shall be deposited with the District Lands Officer a writing under the hand of the mayor giving an address as the address of the council. Service of any notice or documents at such address shall be deemed to be good service of the same on the municipal corporation.

(4) Upon application being made to register any immovable property held by any person on behalf of the municipal corporation in the name of that municipal corporation, the District Lands Officer may proceed to make such registration upon the production to him of the certificate of the mayor and at least one-half of the number of the councillors of the council that the property is the property of the municipal corporation and is held by such person on its behalf.

Registra-
tion of
immovable
property
belonging
to Evcaf.
48 of 52/55.

77. In the case of immovable property belonging to the Evcaf, such immovable property may be registered in the name of a municipal corporation in manner aforesaid:

Provided that the rights of the Evcaf are not in any way prejudiced by such registration: and

Provided that the consent in writing of the High Council of Evcaf be first obtained and produced to the District Lands Officer:

Provided also that this section shall not affect any right of compulsory purchase, if any, existing in a municipal corporation by virtue of the provisions of this or any other Law.

Sale or
mortgage of
immovable
property by
municipal
corporation.

78. It shall not be lawful for a municipal corporation to sell, mortgage or otherwise deal with any immovable property registered in their name under the provisions of this Law save upon a resolution of three-fourths of the members of the council and with the sanction of an order of the Governor in Council and subject to such terms and conditions as may be prescribed in such order.

Remedy in
case of
default in
performance
of duty by
council.

79. (1) Where a complaint is made to the Governor that a council has made default in the performance of any of the duties mentioned in this Law, or in enforcing any of the provisions of this Law which it is their duty to enforce, the Governor in Council, if satisfied after due inquiry that the council has been guilty of the alleged default, shall make an order limiting a time for the performance of their duty in the matter of such complaint.

(2) If such duty is not performed by the time limited in the order, such order may be removed into the Supreme Court and enforced as if the same had been an order of such Court, or the Governor may appoint a temporary board consisting of three or more persons to perform such particular duty, and shall by order direct that the expenses of performing the same shall be paid by the council in default, and any order made for the payment of such expenses may be removed into the Supreme Court and enforced as if the same were an order of such Court. The Governor may from time to time by order change the constitution of any such board.

(3) Any board appointed under this section to perform the duty of a defaulting council shall, in the performance and for the purposes of such duty, be invested with all the powers of such council necessary for the performance of such duty.

***80.** If any council fails to perform any duty or to enforce any provision of this Law, in respect of which the Governor in Council has made an order under section 79 hereof by the time limited in such order, the Governor in Council, notwithstanding anything in this Law contained and notwithstanding any proceedings taken for the purpose of enforcing any such order, may declare such council to have expired and the councillors thereof to have vacated their office and, thereupon, appoint a municipal commission which shall have all the powers and shall perform all the duties of the council which has so expired until such time, not exceeding the unexpired period of office of that council, as the Governor in Council may direct and also appoint from the members of such commission a Chairman and a Deputy Chairman who, during the same time, shall have all the powers and shall perform all the duties of a mayor and a deputy mayor, respectively.

Power to Governor in Council to declare a council as having expired.
2 of 11/50.

81. Any sum specified in an order of the Governor for payment of the expenses of performing the duty of a defaulting council shall be deemed to be expenses properly incurred by such council and to be a debt due from such council, and payable out of any moneys in the hands of such council, or its officers, or out of any rate applicable to the payment of any expenses properly incurred by such council.

Recovery of sums spent by council.

82. Any board appointed under the provisions of section 80 hereof shall have the same powers of levying rates and

Power to levy rates

* Section 80 came into operation on the 1st February, 1950.

requiring all officers of the defaulting council to pay over any moneys in their hands, as the defaulting council would have in the case of expenses legally payable out of the town fund or rates to be raised by such council, and such board after repaying all moneys due in respect of the order shall pay the surplus, if any, to or to the order of the defaulting council.

PART II.

ESTIMATES, FINANCES AND ACCOUNTS.

Estimates.

Annual
estimates.
2 of 29/42.

83. The annual estimates of the revenue and expenditure of a municipal corporation shall be prepared in accordance with the provisions of this Law at such a date as will admit of their consideration by the council, their submission to the Governor for his approval, and their reconsideration by the council before the beginning of the period to which the estimates relate. The financial year of all municipal corporations shall begin on the 1st day of January.

Preparation
of estimates.

84. The estimates of a municipal corporation shall be prepared by the mayor and when they have been passed by the council shall be submitted in duplicate through the Commissioner to the Governor.

Form of
estimates.
Eighth
Schedule.

85. The estimates shall be prepared in accordance with the provisions of the Eighth Schedule to this Law:

Provided that the Governor may vary or add to such provisions either generally or in respect to the preparation of the estimates of any particular municipal corporation.

Town Fund.

Town fund.

86. For every municipal corporation there shall be a fund, to be called the "town fund" which shall consist of—

- (a) all fees or moneys received by the town clerk in respect of the inspection, the giving of copies of or the sale of any list, book, account or document in his possession; and
- (b) all fines, penalties and costs recovered under the provisions of section 196 hereof; and
- (c) all fees collected under the provisions of this Law, or any bye-law made by the council; and

- (d) all rents and profits of and arising out of all property of the municipal corporation; and
- (e) all other moneys received by the municipal corporation or by the council or by an officer, servant or agent thereof for and on behalf of the municipal corporation.

87. The town fund shall be applied to and charged with the following payments— Application of town fund.

- (a) the stipend, if any, of the mayor, the salaries of the town clerk, the treasurer or town clerk and treasurer and such other officers as the council shall under the provisions of this Law appoint; and
- (b) all expenses necessarily and lawfully incurred by the council under the provisions of this Law; and
- (c) all other moneys legally due and owing by the municipal corporation or the council:

Provided that no payment shall be made out of a town fund unless it has been authorized by the council in the current estimates or has been specifically authorized by the council with the approval of the Governor.

88. (1) All payments to and out of a town fund shall be made to or by the treasurer. Treasurer to receive and make payments.

(2) Where any payment from a town fund is made by cheque such cheque shall be—

- (a) signed by the mayor; and
- (b) countersigned by the town clerk.

89. All moneys belonging to or received for or on account of a municipal corporation shall forthwith be paid into the account of the municipal corporation at such bank as the council shall, with the approval of the Governor, appoint: Moneys to be paid into bank. 11 of 23/42.

Provided that the council may, from time to time, authorize the treasurer to retain in his hands a sum sufficient for the daily expenses of the council:

Provided also that where there is no bank within the municipal limits all such moneys shall be securely kept in accordance with rules to be made by the council and approved by the Governor in that behalf.

90. No money shall be withdrawn from the account of a municipal corporation at any bank otherwise than by cheque signed and countersigned in accordance with the provisions of section 88 hereof. With-drawals from bank.

Town Rates.

Interpreta-
tion.
2 of 41/44.

91. For the purposes of sections 92 to 113 of this Law, both inclusive, unless the context otherwise requires—

“annual value” means the annual rent which a tenant might reasonably be expected, taking one year with another, to pay for any immovable property if the tenant undertook to pay all public rates and taxes, and if the landlord undertook to bear the cost of repairs, maintenance, and upkeep, if any, necessary to maintain the immovable property in a state to command that rent and includes the annual value determined by a council under the provisions of section 106 of this Law:

Provided that in the computation and assessment of annual value no allowance or reduction shall be made for any period of non-tenancy whatsoever;

“Court” means the District Court of the district in which the immovable property is situate;

“immovable property” includes—

- (a) land;
- (b) buildings and other erections, structures or fixtures affixed to any land or to any building or other erection or structure;
- (c) trees, vines, and any other thing whatsoever planted or growing upon any land and any produce thereof before severance;
- (d) springs and wells in any land;
- (e) water rights, privileges, liberties, easements and any other rights and advantages whatsoever appertaining or reputed to appertain to any land or to any building or other erection or structure;
- (f) undivided share in any property hereinbefore set out;

“occupier” includes any person occupying any immovable property without regard to the title under which he occupies the same;

“owner” includes any person receiving rent or profits for any immovable property from any tenant or occupier or who would receive such rent or profits if such property were let, whether on his own account or as agent for any other person.

92. (1) Subject to the provisions of subsections (4) and (5) of this section, every council shall make and levy by writing under the corporate seal in respect of all immovable property situated within the municipal limits in which the council operates, an annual rate which shall be termed the "town rate" the proceeds of which shall be paid into the town fund.

Power of council to make and levy town rate.
2 of 41/44.

(2) The town rate shall be assessed on the annual value of the immovable property mentioned in subsection (1) of this section and shall be paid either by all the owners or by all the occupiers thereof, as the council making and levying such rate may in any year determine.

(3) The town rate shall be payable at such time or times and at such place or places as the council making and levying such rate may in any year direct.

(4) No town rate shall be made or levied on any immovable property as follows—

(a) any public burial ground;

(b) any church, chapel, mosque, meeting house or premises or such part thereof as shall be exclusively appropriated to public religious worship;

(c) any premises used as public hospitals;

(d) any immovable property—

(i) held and registered in the books of the District Lands Office in trust for any school operating under any Law in force for the time being relating to elementary or secondary education, where the town rate is paid by the owners;

(ii) used or occupied exclusively for educational services connected with any school operating under any Law in force for the time being relating to elementary or secondary education where the town rate is paid by the occupiers;

(e) any immovable property—

(i) belonging to Her Majesty or to the Government, where the town rate is paid by the owners;

(ii) occupied by or on behalf of Her Majesty or the Government for public purposes, where the town rate is paid by the occupiers;

(iii) used or occupied exclusively for the purposes of any charitable institution of a public

2 of 57/54.

character supported mainly by endowments or voluntary contributions in so far as such immovable property is held for such purposes;

Provided that the Governor in Council may by order direct that such contribution shall be made to any council as may be mentioned in the order, in aid of the town rate, in respect of any property belonging to, or occupied by or on behalf of, the Government.

(5) The Governor in Council may order that sections 91 to 113, both inclusive, shall not apply to any council named in the order and upon the making of such order no council named therein shall make and levy a town rate.

Town rate
to be uni-
form amount
per pound.
2 of 41/44.

93. The town rate shall be a rate at such uniform amount per pound, not exceeding five shillings in the pound, as may be determined from time to time by the council by a resolution of a majority composed of not less than two-thirds of the members actually holding office, assessed on the annual value of the immovable property in respect of a period of twelve months commencing on the 1st day of January in every year:

Provided that where a council has determined the annual value in accordance with the provisions of section 106 of this Law—

(a) the amount of the town rate shall be determined by the council and communicated to the Colonial Secretary not later than the 31st December in the year immediately preceding the year in respect of which such rate is made and levied; and

(b) the uniform amount per pound of the town rate shall be a multiple of four and one half piastres.

Revision
committee
2 of 41/44.

94. Any council may, by a resolution of a majority composed of not less than two-thirds of the members actually holding office, cause a valuation to be made of the immovable property situate within the municipal limits in which the council operates and thereupon the mayor shall transmit a copy of such resolution to the Governor who shall appoint a revision committee consisting of not less than three and not more than five members, including a chairman; such committee shall perform the duties and exercise the powers conferred upon it under the provisions of this Law.

95. (1) For the purpose of finding the annual value of any immovable property the council shall appoint one or more persons as valuers to prepare a valuation list of all immovable property within the municipal limits.

Valuers.
2 of 41/44.

(2) Every person appointed as valuer shall, before performing any duty of his office, take an oath before a member of the Court in the form set forth in part I of the Ninth Schedule to this Law.

Ninth
Schedule.

96. The valuation list shall be in the form set forth in part II of the Ninth Schedule to this Law and shall be signed by the valuer or valuers:

Valuation
list.
2 of 41/44.
Ninth
Schedule.

Provided that where the name of any person liable to be rated as occupier is not known or for any reason cannot be stated with certainty, it shall be sufficient to include him in the valuation list by the description of the "occupier" of the immovable property in respect of which the assessment is made, without further name or description.

97. For the purpose of making the valuation list it shall be lawful for the valuer or valuers with his or their assistants and servants at all reasonable times, until the same be completed, to enter, view, examine, survey and admeasure all and every part of any immovable property, and to do or cause to be done any act or thing necessary for the purpose of making such list:

Valuer may
enter,
examine
immovable
property,
etc.
2 of 41/44.

Provided that no entry shall be made under this section into any dwelling house in actual occupation without the consent of the occupier unless twenty-four hours' previous notice in writing shall have been given to such occupier, specifying as near as may be the hour of such intended entry.

98. The council and every owner or occupier shall give the valuer or valuers every facility, by allowing him or them to inspect any books and take any copies or extracts or do any other thing necessary to enable him or them to make the valuation list.

Valuer may
inspect
books, etc.
2 of 41/44.

99. The valuation list made and signed by the valuer or valuers as hereinbefore provided shall be delivered to the mayor who shall deposit the same at the offices of the council in some convenient place, where it shall be open to the inspection of all persons assessed or liable to be assessed, with full power to such persons to take copies or extracts

Valuation
list to be
delivered to
the mayor
and deposi-
ted for
inspection.
2 of 41/44.

therefrom free of charge. The mayor shall give public notice of the deposit of such list by posting up a notice in writing at the place or places where municipal notices are usually posted up and by publishing a notice thereof in the Gazette and such other newspaper or newspapers as he may think fit.

Revision of
valuation.
2 of 41/44.

100. (1) Within twenty-one days of the date of the publication in the Gazette of the notice that the valuation list has been deposited at the offices of the council, the municipal corporation or any person who is aggrieved by such list on any of the following grounds, that is to say—

- (a) that he is wrongly included as the owner or occupier of any immovable property;
- (b) that he is not included as the owner or occupier of any immovable property;
- (c) that the valuation of any immovable property of which he is the owner or occupier is incorrect or unfair;
- (d) that some other person has been wrongly included in, or excluded from, the list;
- (e) that the valuation of any immovable property is incorrect or unfair,

Ninth
Schedule.

may apply to the revision committee in the form set forth in part III of the Ninth Schedule to this Law for rectification of the list.

(2) The revision committee shall consider all such applications and may amend the valuation list.

(3) Where any such amendment of the valuation list will affect directly any person other than the person who has made application to the revision committee, no such amendment shall be made until such person who will be directly affected has had an opportunity of being heard by the committee.

(4) The valuation list as amended by the revision committee shall be signed by the chairman and shall be delivered to the mayor who shall deposit the same at the offices of the council in some convenient place and thereafter the provisions of section 99 of this Law shall apply *mutatis mutandis* to this subsection as they apply to that section.

Appeal to
Court.
2 of 41/44.

101. (1) Any person (including the council) who has applied to the revision committee and who is not satisfied

with the decision of such committee may, within ten days from the date of the publication in the Gazette of the notice that the valuation list has been so revised and deposited at the offices of the council, appeal to the Court, and the Court shall hear and determine the appeal and its decision shall be final and conclusive.

(2) The Court shall communicate to the appellant and to the council its decision, and if the decision of the Court requires the correction of the valuation list the mayor shall correct the same accordingly and sign the correction after adding the words "by decision of the Court."

102. (1) The council may at any time, whenever it appears that the name of any owner or occupier, as the case may be, of any immovable property was not included in the valuation list, either because he was not the owner or occupier at the time of the preparation of the valuation list, or because he was an owner or occupier but was omitted from the valuation list, determine the annual value of such property and add his name in the valuation list:

Addition to
valuation
list.
2 of 41/44.

Provided that the council shall give him notice in writing of the annual value determined as hereinbefore and that his name has been inserted in the valuation list.

(2) Any person who is not satisfied with the action of the council may, within ten days from the receipt of the notice in subsection (1) of this section provided, appeal to the Court against such action and the decision of the Court shall be final and conclusive.

103. (1) The valuation list, as it may have been corrected upon application to the revision committee or under section 102 of this Law or upon appeal to the Court shall be the final valuation list and such list shall be valid and effective as regards valuation of the immovable property mentioned therein until such property is revalued under section 104 of this Law.

Final valua
tion list.
2 of 41/44

(2) (a) The final valuation list may, as regards the persons liable to pay the town rate, be revised annually by the council not later than the 31st day of January in every year and upon such revision the list as revised shall be deposited at the offices of the council at some convenient place and thereafter the provisions of section 99 of this Law shall apply *mutatis mutandis* to this subsection as they apply to that section.

(b) Within twenty-one days of the date of the publication in the Gazette of the notice that the list as revised by the council has been deposited at the offices of the council, any person aggrieved by such revision on any of the following grounds, that is to say—

- (i) that he is wrongly included as the owner or occupier of any immovable property;
- (ii) that he is not included as the owner or occupier of any immovable property;
- (iii) that some other person has been wrongly included in, or excluded from, the list,

may appeal to the Court and the Court shall hear and determine the appeal and its decision shall be final and conclusive and the list shall be corrected accordingly.

Revaluation.
2 of 41/44.

104. (1) Any immovable property valued under the provisions of this Law may be revalued at any time being not less than five years from the date of the last valuation either at the instance of the council or of the owner or occupier:

Provided that if since the date of the last valuation—

- (a) any such immovable property has been materially reconstructed or if on any land there has been erected any building or planted any trees, so as to substantially increase the value of such property or land; or
- (b) any such immovable property has been destroyed or damaged to such an extent as to substantially affect its annual value,

such property or land may be revalued at any time after such reconstruction, erection, planting, destruction or damage at the instance of the Council or the owner or occupier notwithstanding that five years have not elapsed from the date of the last valuation of such property or land:

Provided that nothing herein shall affect the liability of any owner or occupier to pay any amount due before such revaluation.

(2) Every revaluation shall be carried out in the same manner as the original valuation and the provisions relating to the original valuation, including sections 100 and 101 of this Law shall apply *mutatis mutandis* to every revaluation as they apply to the original valuation.

105. Where the town rate is assessed on occupiers the following special provisions shall have effect with respect to the assessing of persons to, and their liability in respect of, a town rate—

Liability
for part of
a period.
2 of 41/44.

- (a) a person who is in occupation of the immovable property for part only of the period in respect of which the rate is made, shall, subject to the provisions of this section, be liable to be charged with such part only of the total amount of the rate as the number of days during which he is in occupation bears to the total number of days comprised in the said period;
- (b) a person who is in occupation of the immovable property for any part of the said period may be assessed to the rate in accordance with the provisions of paragraph (a) of this section, notwithstanding that he ceased to be in occupation before the rate was made;
- (c) a person who is in occupation of the immovable property at any time after the rate is made may be assessed to and shall in the first instance be liable to pay, if he was in occupation at the beginning of the period, the whole rate, or, if he came into occupation subsequently, a proportion of the rate calculated on the basis that he will remain in occupation until the end of the said period, but shall, if he goes out of occupation before the end of the said period, be entitled to recover from the council any sum paid by him in excess of the amount properly chargeable against him in accordance with the provisions of paragraph (a) of this section, except in so far as he has previously recovered the sum from an incoming occupier.

106. (1) Notwithstanding anything in this Law contained a council may determine that the annual value of all immovable property within the municipal limits in which the council operates shall be four per centum of the value of such property as registered or recorded in the books of the District Lands Office, and in every such case the following provisions shall have effect, that is to say—

District
Lands
Office
valuation
adopted in
certain
cases.
2 of 41/44.

- (a) the town rate shall be payable by the persons registered or recorded in the books of the District Lands Office as the owners of such property;

Cap. 329.

(b) the town rate shall be collected by Government in the same manner as taxes are collected under the Tax Collection Law, and shall thereafter, and after deducting therefrom the cost of collection, be paid into the town fund.

(2) The provisions of this section shall not apply to any council which has proceeded to the valuation of immovable property situated within the limits of the municipal corporation in which the council operates, under the provisions of sections 94 to 105 of this Law, both inclusive.

Exemption
on account
of poverty.
2 of 41/44.

107. (1) Where the town rate is assessed on occupiers, the council may by a unanimous vote reduce or remit the payment of any town rate on account of the poverty of any person liable to pay such rate:

Provided that a list of the names of all such persons shall be posted up at the place or places where municipal notices are usually posted up and that the mayor shall give notice of such posting by publishing a notice thereof in the Gazette and such other newspaper or newspapers as he may think fit.

(2) Any person who claims that the name of any other person has been wrongly included in the list mentioned in subsection (1) of this section may, within ten days of the date of the publication in the Gazette of the notice that the list has been posted up, apply to the Commissioner of the district for the removal of such name from the list and the Commissioner may, after affording an opportunity to the person affected to be heard in opposition, order the name of such person to be removed and the decision of the Commissioner shall be final and conclusive.

Town
bailiff.
3 of 41/44.

108. (1) The council shall from time to time appoint a town bailiff for the purpose of recovering town rates from defaulters.

(2) The procedure to be adopted by the town bailiff in the seizure and sale of movable property and in the disposal of the proceeds thereof and the costs therein shall be in accordance with the Regulations set out in part IV of the Ninth Schedule to this Law.

Ninth
Schedule.

(3) The municipal corporation shall be liable for all acts done by the town bailiff in the execution of the duties of his office.

109. (1) If any person liable to pay any town rate shall refuse or neglect to pay the same at the time appointed for the payment thereof, the mayor shall issue a warrant under his hand and the corporate seal directed to the town bailiff requiring and commanding him to recover the rate on the movable property of such defaulting person, and the town bailiff to whom such warrant is directed shall execute the said warrant and make a return thereto within six weeks from the date thereof:

Recovery
from
defaulters.
3 of 41/44.

Provided that the mayor may, in lieu of issuing separate warrants in respect of each defaulter, issue under his hand and the corporate seal one warrant and annex or subjoin to such warrant a schedule of the names of the defaulters for which it is issued, and such warrant shall be taken to apply in respect of each of the defaulters named in the schedule annexed or subjoined thereto.

(2) (a) In addition to any amount payable under the mayor's warrant as in subsection (1) of this section, the defaulter shall pay an additional amount of five per centum of the amount due by the defaulter; such additional amount shall be paid and recovered at the same time as the amount due under the mayor's warrant;

(b) whenever any additional amount payable under this subsection consists of a fraction of one piastre there shall be paid in respect thereof a sum of one piastre.

110. All property which shall be levied upon by the town bailiff by virtue of any warrant from the mayor issued under the provisions of section 109 of this Law shall be sold by him by public auction, within three days from the seizure, to the highest bidder.

Property
levied on
by the town
bailiff.
3 of 41/44.

111. Notwithstanding anything contained in this Law any council may submit a request to the Governor that the town rate may be collected by Government and the Governor may direct accordingly and thereupon the town rate shall be collected in the same manner as taxes are collected under the Tax Collection Law, and shall thereafter, and after deducting therefrom the cost of collection, be paid into the town fund.

Collection
under Tax
Collection
Law.
3 of 41/44.

Cap. 329.

***112.** (1) Upon the making and levying of a town rate within any municipal limits, no immovable property tax or Education tax shall be levied, assessed, collected or paid

Immovable
property tax
and Educa-
tion tax
not to be
levied.

2 of 20/53.

* Came into operation on the 12th May, 1953.

in respect of any immovable property within such municipal limits:

Cap. 166. Provided that, though no Education tax shall be levied, assessed, collected or paid in respect of any immovable property within such municipal limits, the tax provided by section 95 of the Elementary Education Law may be levied, assessed, collected and paid as therein provided as if Education tax were levied, assessed, collected and paid in respect of any such property.

(2) For the purposes of subsection (1)—

Cap. 166. “Education tax” means the tax levied, assessed, collected and paid under section 87 of the Elementary Education Law;

Cap. 322. “immovable property tax” means the tax levied, assessed, collected and paid under the Immoveable Property Tax Law.”

Rules with respect to appeals.
3 of 41/44.

113. The Governor may, with the advice and assistance of the Chief Justice, make Rules of Court for regulating the practice and procedure and for prescribing the fees to be paid in respect of appeals to the Court under sections 101, 102 and 104 of this Law.

Accounts and Audit.

Council to keep accounts.

114. (1) Every council shall cause a true account to be kept by the treasurer of all moneys received and paid by or on behalf of the municipal corporation.

12 of 23/42.

(2) Within eight days of the 30th day of June and the 31st day of December of every year the accounts of every municipal corporation up to and including such days respectively shall be closed, and shall be certified by the mayor and the treasurer.

Accounts to be audited.
13 of 23/42.

115. (1) The accounts in the last preceding section mentioned shall be produced by the treasurer for audit by the Director of Audit at such time and place as such auditor may, from time to time, require and such accounts shall thereupon be audited by the Director of Audit.

(2) The Director of Audit shall make and sign an annual report upon such accounts, and a duplicate of such accounts with the report thereon shall be forwarded to the Administrative Secretary. A copy of the audited accounts for each year shall be published in the Gazette.

(3) When such accounts have been audited and a copy thereof has been published in the Gazette such accounts shall be deemed to be closed and after the expiration of one month from the date of such publication no person shall challenge such accounts for any purpose save only on the grounds of dishonesty or fraud, or for the recovery of arrears of revenue.

116. (1) For the purposes of any audit under this Law, the Director of Audit may—

Power of
Director of
Audit to
call for
books, etc.
4 of 41/44.

(a) by summons in writing, require the production before him of all books, deeds, contracts, accounts, vouchers, receipts and other documents and papers which he may deem necessary, and also require any person holding or accountable for any such books, deeds, contracts, accounts, vouchers, receipts, documents or papers to appear before him at any such audit or any adjournment thereof and to make and sign a declaration as to the correctness of the same;

(b) require any person holding or accountable for any books, deeds, contracts, accounts, vouchers, receipts, documents or papers, as in paragraph (a) of this subsection provided, to give him, within such time as he may specify, such information, either orally or in writing, as he may require, touching upon or in connection with such audit.

(2) Any person who—

(a) neglects or refuses to appear before such auditor or to produce any such books, deeds, contracts, accounts, vouchers, receipts or other documents or papers, or to make or sign such declaration; or

(b) falsely or corruptly makes or signs any such declaration knowing the same to be untrue in any material particular; or

4 of 41/44.

(c) neglects or refuses to give to the Director of Audit any information as he may require under paragraph (b) of subsection (1) of this section or who knowingly gives any such information which is false in any material particular,

4 of 41/44.

shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding five pounds.

Power of
Director of
Audit to
surcharge
illegal
payments.

117. (1) The Director of Audit acting in pursuance of section 115 hereof shall disallow every item of account contrary to law, and surcharge the same on the person making or authorizing the making of the illegal payment, and he shall charge against any person accounting the amount of any deficiency or loss incurred by the negligence or misconduct of that person or of any sum which ought to have been but is not brought into account by that person, and he shall in every such case certify the amount due from such person. On the application by any party aggrieved thereby he shall state in writing the reasons for his decision in respect of such disallowance or surcharge, and also of any allowance which he may have made:

5 of 41/44.

Provided that any person surcharged or charged may, within twenty-one days of the notification to him of the surcharge or charge, appeal to the Governor in Council against the same and the Governor in Council may, in his discretion and if he considers that in all circumstances he is warranted in so doing, cancel or reduce such surcharge or charge, notwithstanding that such surcharge or charge is correct and legal and the decision of the Governor in Council shall be final and conclusive, and any cancellation or reduction by the Governor in Council of a surcharge or charge shall render the payment, which was the subject of the surcharge or charge, legal to the extent to which it is cancelled or reduced.

15 of 19/45.

5 of 41/44.

(2) If it does not appear from the minutes which particular members of the council concurred in any particular expenditure, every member present at the meeting at which such expenditure was authorized shall be deemed to have so concurred until he proves the contrary to the satisfaction of the Director of Audit or the Governor in Council, as the case may be.

Payment of
surcharge
or charge.
6 of 41/44.

118. (1) The person surcharged or charged shall, within one month of the notification to him of the surcharge or charge by the Director of Audit or within one month from the notification to him of the decision of the Governor in Council on appeal under the provisions of section 117 of this Law, make good the surcharge or charge to the municipal corporation to the satisfaction of the Director of Audit and if such person fails to do so within the period aforesaid it shall be the duty of the council to enforce payment of the same.

(2) A certificate signed by the Administrative Secretary

that the surcharge or charge is due and unpaid, upon being filed with the Registrar of the District Court of the district within which the council operates, shall be executed and obedience thereto enforced as if it were an order of the Court.

119. If any council shall neglect or refuse to enforce payment of any surcharge or charge as in section 118 of this Law provided the Governor may appoint a person to enforce such payment and any costs incurred by such person in that behalf shall be payable out of the town fund.

Failure of council to enforce payment of surcharge or charge.
6 of 41/44.

120. If a person surcharged or charged being a member of the council shall fail to make good the surcharge or charge within the period set out in section 118 of this Law he shall, at the expiration of such period and without prejudice to any proceedings for enforcing payment of such surcharge or charge, cease to be a councillor and shall be deemed to have vacated his office.

Defaulting councillors to vacate office.
7 of 41/44.

121. The Director of Audit may at all reasonable times enter any offices of a council and have access to all books, deeds, contracts, accounts, vouchers, receipts and other documents and papers and may take such steps as to him may appear to be necessary for verifying or satisfying himself of the existence of the proper balances of cash and stamps and for ascertaining whether suitable and adequate accommodation exists and adequate measures are taken for the safe custody of cash, stamps and stores.

Director of Audit may enter offices of council.
8 of 41/44.

122. The Governor in Council may, by order to be published in the Gazette, make Rules—

- (a) fixing, either generally or in respect of any particular council, the fee to be paid into the general revenue of the Colony by councils on account of the services of the Director of Audit; and
- (b) prescribing the books and the form in which the accounts of councils shall be kept; and
- (c) generally for carrying out any of the purposes or provisions of this Law as to the audit of the accounts of councils.

Power to Governor in Council to make Rules.

PART III.

DUTIES AND POWERS OF COUNCILS.

Duties of
councils.

123. (1) Subject to the provisions of this Law and of any other Law in force for the time being the council shall within the municipal limits—

Accumulations
of
filth and
refuse.

(a) prevent the accumulation in any public or private place of any filth or refuse so as to be dangerous to the public health and take measures for the abatement of any public nuisance arising from any public or private cesspool or drain, or otherwise;

Advertise-
ments and
notices.

(b) prevent advertisements or notices being affixed to or inscribed on any building by any person other than the occupier, and shall erect, or cause to be erected, hoardings for the exhibition of advertisements and notices;

Animals.

(c) regulate or prevent the keeping of swine, and regulate the keeping of animals and birds so that their keeping shall not be a public nuisance or injurious to health;

Bakeries
and bread.
23 of 12/46.

(d) supervise and control all bakeries and regulate the sale of bread by fixing the weights by which only it shall be sold;

Dangerous
buildings.

(e) provide for the treatment of congested areas, for the closing and demolition of buildings and parts of buildings unfit or dangerous for human habitation and for the prohibition of their use for such habitation;

Disinfection
of houses.

(f) require any building wherein any person has died of any kind of contagious or infectious disease or consumption and the clothing in and contents of such building to be disinfected or destroyed on payment of compensation;

1 of 4th Sch.
31/ 55.

Drains, etc.

(g) provide that all drains, urinals, privies and cesspits shall be so constructed and kept as not to be a nuisance or injurious to health;

Dust-bins,
etc.

(h) provide and maintain in good order and repair public dust-bins and other receptacles for the temporary deposit and collection of rubbish and maintain such dust-bins and other receptacles in good order, and cause such public dust-bins and other receptacles to be so kept as not to be a nuisance or injurious to health;

- (i) provide and maintain proper services and appliances for extinguishing fires and water buckets, pipes, fire escapes and other implements for safety or use in case of fire; Fires.
7 of 34/48.
- (j) provide for the inspection of all flesh, fresh fish, vegetables and all other foodstuffs of whatever kind or nature, and of liquids intended for human consumption, whether exposed for sale or deposited and seize and destroy all such foodstuffs or liquids as are unfit for human consumption or seize and otherwise deal with any food-stuffs or liquids intended for human consumption when and in such manner as may by bye laws be directed or allowed; Food.
- (k) regulate funeral processions with the advice and assistance of the competent religious authorities; Funerals.
- (l) regulate the depth and length of graves; Graves.
- (m) prevent any bar, barber's shop, cake-bakery of any kind, coffee house, confectioner's shop, cook-shop, dairy, drinking shop, hotel khan, pastry shop, public bath house and any premises in which foodstuffs or liquids of whatever kind or nature intended for human consumption are made or exposed for sale and any premises of public resort, and any tools, objects or articles used therein, from being in an uncleanly or injurious state, and seize and destroy or otherwise deal with any such tools, objects or articles as are likely to be injurious to health or to spread the infection of any disease, at such times and in such manner as may by bye-laws be directed or allowed; Bars, etc.
14 of 23/42.
- (n) provide and maintain public latrines, urinals and cesspits and maintain the same in good order and cause the same to be so constructed and kept as not to be a nuisance or injurious to health; Latrines
and
cesspits.
- (o) grant licences and permits and, subject to the provisions of this Law, attach to such licences or permits such terms and conditions as to the council may seem necessary or desirable, and suspend or revoke such licences and permits whenever the council on good cause shown considers it advisable so to do; Licences,
etc.
14 of 23/42.

- Night soil and refuse. (p) provide for the removal of all night soil and refuse from every house and regulate the fees to be taken for such removal;
- Nuisances. 16 of 19/45. (q) take steps to abate any nuisance, and from time to time cause inspections to be made with a view to ascertain what nuisances exist;
- Poor houses. (r) establish adequate poor houses for the reception therein of disabled or crippled poor persons and work places for giving work therein to such poor persons as may be able to work, and prevent begging;
- Slaughter-houses. 14 of 23/42. (s) provide slaughter-houses and regulate the slaughter of animals and the fees to be taken for the slaughter of each animal and provide for the seizure and disposal of the carcasses or meat of animals not slaughtered in such slaughter-houses;*
- Streets. 14 of 23/42. (t) keep all streets clean and in good repair and sufficiently drained, lightened and clear of obstructions, and control the construction or alteration of any street, and divert or close any street and prevent obstructions thereover by awnings or otherwise;
- Street names. 14 of 23/42. (u) with the approval of the Governor name or re-name where necessary, all roads, streets, lanes and squares, such names to be affixed in a conspicuous place therein, and cause the buildings in such roads, streets, lanes and squares to be numbered;
- Theatres. (v) grant licences for the use of theatres, etc.;
- Trades. (w) regulate any trade or business which may be injurious to public health, or a source of public danger or which otherwise it is in the public interest expedient to regulate;
- Traffic. 14 of 23/42. (x) regulate, restrict or prohibit any trade, business or occupation in any street or in such proximity to any street as to affect the amenities thereof or as to cause annoyance or inconvenience to persons using the street or persons residing in the neighbourhood;
- Wash-houses. (y) provide, and maintain public bathing places and public washing houses, and all such matters and things as may be necessary for the con-

* See Municipal Corporations (Slaughter-Houses) Law, Cap. 241.

venient use of such bathing places and washing houses, and regulate the same and the fees to be taken for the use thereof;

- (z) provide, or cause to be provided, a good and sufficient supply of water, and keep, or cause to be kept, cleansed and in good repair all public fountains, drains and aqueducts, and preserve the same from contamination; Water.
14 of 23/42.
- (aa) keep sufficient balances, scales and weights for the weighing of goods and apparatus for testing spirits, in accordance with this Law; Weights,
etc.
14 of 23/42.
- (bb) provide for the registration and the marking of bicycles or tricycles, other than motor bicycles or motor tricycles, ridden or pushed in any street and for the imposition of a fee in connection therewith not exceeding five shillings per annum: Bicycles,
etc.
2 (b) of 31/51.
- Provided that the registration and marking of any bicycle or tricycle by the council of any municipal corporation shall, whilst in force, enable the use of such bicycle or tricycle within the limits of any other municipal corporation without further registration or marking;
- (cc) with the approval or at the request of the Commissioner, provide for the allotment of special places, situated either within or without the municipal limits, for the dumping of refuse, and prohibit the dumping of refuse at any other place and control, restrict and regulate the keeping and removal of refuse; Refuse.
14 of 23/42.
- For the purposes of this paragraph the term "refuse" shall mean any brick rubble, plaster, old iron, broken bottles, broken glass, ashes, empty boxes, empty tins and shall include any other articles or things (not being night soil or night refuse) liable to cause filth or uncleanness or to be detrimental to the amenities of the neighbourhood.
- (dd) regulate or prohibit the use in any street of any vehicle the wheels of which are not protected by a rubber cover. 2 (c) of
31/51.

(2) The council shall with regard to any of the matters in subsection (1) hereof enumerated comply with the requirements and directions of the Director of Medical Services.

(3) The council shall pay into the Department of the 3 of 20/53.

Accountant-General out of the annual revenue of the municipal corporation a minimum annual contribution of three per centum of such revenue for such social welfare purposes, within the municipal limits, as the Governor may determine:

Provided that, in calculating the annual revenue of a municipal corporation for the purposes of this subsection, only the net receipts from any undertaking certified by the Administrative Secretary to be an industrial undertaking carried on by a municipal corporation shall be taken into account.

14 of 23/42.

(4) The council shall generally do such other acts and provide for such other measures as may be necessary for the conservancy and cleanliness of the town, the preservation of public health therein and the safety and comfort of the inhabitants thereof.

Powers of council.
4(a) of 20/53'

124. (1) The council may, subject to the provisions of this Law and with the consent of the Governor in Council and subject to such terms and conditions as he may impose, borrow money from any person for carrying out any work of public utility within the municipal limits, and for the purpose of securing the payment of the principal and interest of any such loan it may mortgage any rates, fees or duties to the lender.

(2) Subject to the provisions of this Law, it shall be within the power of the council within the municipal limits—

Borrowing power.
4 (a) of 20/53.

(a) to borrow temporarily from the bank at which the account of the municipal corporation is kept any sum or sums:

Provided that the amount so borrowed shall not, without the consent of the Governor, exceed five per centum of the estimated revenue of the municipal corporation for the period for which the current estimates are made, and provided also that the amount so borrowed shall be repaid from the revenue of and during such period;

Charitable and educational schemes.

(b) to contribute towards or to undertake the cost of any scheme or institution for public education, or of any charitable scheme or charitable institution;

Land and buildings.
15 of 23/42.

(c) notwithstanding anything contained in sections 128

to 135 of this Law to acquire by private treaty, with the consent in writing of the Commissioner previously obtained, any lands or buildings, or any part thereof, for any purpose of public utility, which shall include—

- (i) the construction of new streets;
- (ii) the opening, widening, straightening, diverting or improving of existing streets;
- (iii) the erection of public buildings;
- (iv) the provision of a good and sufficient water supply.

For the purposes of this paragraph the term "lands" shall extend to and include water or water rights within or without the municipal limits whether attached to land or held independently of land;

- (d) to provide for the establishment and regulation of municipal markets and to regulate the fees, rents and tolls to be paid for the use of such markets; Municipal markets.
- (e) to provide for the allotment of special places for the sale of animals and of perishable goods and to regulate the manner in which such animals and perishable goods shall be sold and the fees, rents and tolls for the use of such special places; Markets for animals and perishable goods
15 of 23/42.
- (f) to provide, establish, lay out, plant, improve, maintain and regulate parks, gardens and other places of resort or recreation for the use of the public, and to contribute to the cost of maintenance of parks, gardens and other places of resort or recreation, provided by any person for the use of the public; Parks, etc.
- (g) with the approval of the Governor to make any payment or contribute to any scheme or institution; Payments.
- (h) to grant gratuities and pensions to officers and servants of the municipal corporation, and to establish a pension fund. And such pensions or gratuities shall be granted in accordance with bye-laws to be made by the council under the provisions of section 125 hereof; Pensions.
17 of 19/45.
- (i) to build public buildings and to do other public works and with the licence of the Governor first obtained to construct quays, docks or piers; Public buildings, etc.

- Streets. (j) to provide for the paving or improvement of streets;
- Trees. (k) to plan trees in any street or public place and to erect tree guards:
 Provided that such street or place is not unduly obstructed thereby;
- Bathing. (l) to regulate bathing in the sea and to secure the safety and comfort of persons who resort to the beach within the municipal limits;
 15 of 23/42.
- Arrears. (m) with the approval of the Governor to cancel irrecoverable arrears of revenue;
 15 of 23/42.
 8 of 34/48.
- Entertainment duty. (n) (i) to impose a duty on all payments made for admission to any public entertainment;
 15 of 23/42.
 (ii) to provide that no person shall be admitted for payment to any public entertainment except with a ticket stamped or marked in such manner as to denote that the duty has been paid;
 (iii) to prescribe the manner in which the duty shall be collected and paid;
 (iv) to exempt from the payment of the duty or remit the whole or any part of the duty in the case of any public entertainment the takings whereof either wholly or in part are devoted to philanthropic, educational or charitable purposes.
- 4(b) of 20/53.
 For the purposes of this paragraph the term "public entertainment" means any performance of any stage play, or cinematograph exhibition, or dance, or any other entertainment to which the public is admitted, and includes any public meeting;
- Hotels and fees. (o) (i) to provide for the payment of fees to the council by persons licensed under the provisions of the Hotels Law, to keep or manage hotels of any class or classes (hereinafter in this paragraph referred to as "licensees of hotels") at a rate not exceeding twenty-five mils per night in respect of each person of over ten years of age staying or residing in such hotels;
 15 of 23/42.
 Cap. 138.
 (ii) to prescribe the times at which such fees shall be paid to the council by licensees of hotels;
 (iii) to require licensees of hotels to keep a special register in such form as may be pre-
- 2 of 25/43.
 2 of 29/54.

scribed in which they shall enter the name of every person staying or residing in such hotels together with such other particulars as may be prescribed;

(iv) to require licensees of hotels to produce such special registers for inspection by such persons and at such times as may be prescribed;

(v) to provide that licensees of hotels shall furnish copies of such special registers to the council and to such persons as may be prescribed and to prescribe the times at which such copies shall be furnished.

Bye-laws.

125. (1) A council may from time to time make and when made vary and revoke bye-laws for all or any of the following purposes and may impose a penalty not exceeding five pounds for any breach thereof or in the case of a continuing breach, not exceeding one pound for every day during which such breach shall continue: Bye-laws.

Provided that such bye-laws are not inconsistent with the provisions of this or any other Law:

Provided also that every such bye-law or the variation or revocation thereof shall be subject to the approval of the Governor and shall not come into operation until it has been approved by him and published in the Gazette—

- (a) to enable or assist a council to perform any of the duties assigned to it by section 123 hereof and to provide for the payment of any fees or charges in connection therewith; and
- (b) to enable or assist a council to carry out any of the provisions of section 124 hereof and to provide for the payment of any fees or charges in connection therewith; and
- (c) to regulate and control the grant or issue of any licences or permits which by this Law the council is empowered to issue or grant and to prescribe the fees to be paid for any such licences or permits;
- (d) to regulate the weighing, measuring and testing of goods and the payment of fees therefor and to control the collection of fees payable under section 178 hereof.

9 of 34/48.

(2) Any person contravening any bye-law, for the breach whereof no penalty is provided by such bye-law or by any other section of this Law, shall be guilty of an offence and shall, on summary conviction, be liable to a fine not exceeding twenty pounds and the trial court may order that any article or goods in respect of which an offence has been committed shall be forfeited to the municipal corporation concerned.

Validation
of existing
bye-laws.
5 of 29/54.
29 of 1954.

(3) Any bye-laws made by any council before the 27th May, 1954 under the provisions of sub-paragraph (i) of paragraph (o) of subsection (2) of section 124, as it stood before its amendment by section 2 of the Municipal Corporations (Amendment) Law, 1954, until varied or revoked by any bye-laws made under that paragraph as amended by that Law, shall be deemed to have been made and shall have effect as if made under the provisions of that paragraph as amended by that Law:

Provided that nothing in this section contained shall affect the rights or liabilities of any party under a judgment already given by a competent Court.

Traffic.

Regulation
of traffic.
of 31/51.

126. (1) The Council shall, within the municipal limits and with the concurrence of the Chief Constable of Police have power, by bye-laws made with the approval of the Governor, to regulate and control traffic in any street, which shall include power—

- (a) to fix places where vehicles can stand when not actually in motion and fix the numbers and types of vehicles which shall be permitted to stand at such places and regulate any matter in connection therewith;
- (b) to prohibit any kind of traffic other than pedestrian;
- (c) to fix one way traffic for vehicles and animals;
- (d) to fix fares for the hiring of vehicles;
- (e) to regulate the movement of pedestrians and of persons riding or pushing a bicycle or a motor cycle or pushing perambulators or hand-driven vehicles and the movement of any animals whether ridden or not;
- (f) to erect, exhibit, place or paint signs for the regulation of traffic and to prevent the erection, exhibition, placing or painting in the proximity

of any such signs of any other sign or other thing;

- (g) to require persons to give information to police officers or other persons authorized by the Council, regarding any accident in any street, involving a vehicle.

(2) In this section—

“ motor car ” includes motor cycle and every description of vehicle propelled by means of mechanism contained within itself, other than a railway;

“ vehicle ” means any conveyance of any kind used on land and includes a motor car, bicycle or tricycle.

(3) Any person contravening any bye-law made under the provisions of this section, shall be guilty of an offence and shall, on summary conviction, be liable to imprisonment not exceeding six months or to a fine not exceeding twenty-five pounds or to both such imprisonment and fine and the trial Court may order that the licence of the person convicted in respect of any vehicle connected with the commission of the offence shall be cancelled or suspended for such part of its unexpired period as the Court may think fit.

(4) Where an act or omission constitutes an offence under any bye-laws made under this section and also under any Regulations made under the Motor Vehicles and Road Traffic Law, the offender shall be liable to be prosecuted and punished either under such bye-laws or under such regulations but shall not be liable to be punished twice for the same offence:

Cap. 332.

Provided always that, where any person is adjudged by any Court to pay a fine in respect of such offence, such fine shall, notwithstanding that such person has been prosecuted under such Regulations, be paid to the Town Fund of the municipal corporation concerned.

(5) Until replaced by bye-laws made under the provisions of this section any bye-laws relating to traffic in force on the 5th December 1951 shall be deemed to have been made under the provisions of this section.

Saving of existing bye-laws.

Acquisition of land and powers of council with regard to laying of pipes and buildings in dangerous state.

4 of 31/51.

127. In sections 128 to 135 of this Law “ land ” shall extend to and include buildings, trees and other immovable

Definition.
16 of 23/42.

property situated within any municipal limits and water or water rights within or without the municipal limits whether attached to land or held independently of land which may by law be sold and purchased or exchanged.

Resolution
to acquire
land.

128. Whenever any council decides by a resolution of a majority composed of not less than two-thirds of the members actually holding office that any land within the municipal limits shall be acquired for public purposes, a copy of the resolution and of the minutes relating to it, together with a plan of the land to be acquired, shall be forwarded by the council to the Commissioner of the district, and shall be submitted for the consideration of the Governor as hereinafter provided.

Notice to be
served on
owner.

129. The Commissioner before submitting for the consideration of the Governor the documents in the preceding section mentioned, shall cause a notice to be served on the owner of the land it is proposed to acquire or his legal representative or if both be absent from the municipal limits on the occupier of the land, advising him of the proposed acquisition and that he may examine the plan thereof and present any objections he may have to make thereto within one month of the service of the notice. At the expiration of such month the Commissioner shall forward to the Governor the resolution, minutes and plan together with the objection made, if any.

Governor
may
sanction
acquisition.

130. If the Governor approves the plan submitted and considers it expedient, having regard to all the circumstances, that the municipal corporation should be permitted to acquire the land in question, he may, by notification published in the Gazette, sanction the acquisition of the land; and thereupon, if the owner of the land does not agree with the council as to the sum to be paid for it, such sum shall be determined in accordance with the provisions of any law, in force for the time being, providing for the acquisition of land for public purposes:

6(a) of 1st
Sch. 43/55.

Provided that a municipal corporation shall not be permitted to acquire a part only of any building if the owner thereof is willing and able to give a good title to the whole thereof.

5 of 2nd Sch.
43/55.

Transfer of
land to
corporation.
6 (b) of 1st
Sch. 43/53.

131. On payment of the sum awarded all the interest of the owner, occupier, mortgagee or lessee respectively of the

land in the land shall be deemed to be transferred to and vested in the corporation by which the sum has been paid.

132. On production of evidence of the payment of any sum agreed upon or of any sum awarded for land acquired under this Law, the Principal Officer of the District Lands Office in the district may cause notice to be served on any person in whose name the land is registered calling upon him to bring to the District Lands Office, within a given time, his certificate of registration, and the certificate and the registration to which it corresponds shall be amended in accordance with the plan sanctioned by the Governor, and if any person as aforesaid fails, within the time allowed, to present for amendment his certificate of registration, the Principal Officer of the District Lands Office in the district may amend the original registration as aforesaid, and the amended registration shall be held final notwithstanding that the certificate which corresponds thereto remains without amendment.

Amendment of registration of land.

133. Where land is required by any municipal corporation for the opening of a new street, it may acquire a sufficient extent of land on each side of the proposed street to admit of the erection thereon of suitable buildings or tenements with a frontage on the new street.

Corporation may acquire land on either side of new street.

134. Any municipal corporation may sell, lease or exchange any land acquired under the provisions of this Law in excess of the extent actually required for the purpose of public utility in respect of which it has been acquired.

Corporation may sell or lease lands compulsorily acquired.

135. Notwithstanding anything in this Law contained, a municipal corporation if it shall think fit to abandon the project in respect of which proceedings for the acquisition of land under this Law have been taken, shall not be compelled to take the land unless it has been transferred under section 131 hereof or the owner or occupier has delivered up possession thereof:

Council may abandon project.

Provided that all costs and expenses incurred by any owner or occupier by reason of the failure of a municipal corporation to take the land shall be paid by the municipal corporation.

136. Without a permit first obtained from the council, no person shall in any street lay down or take up any water pipe, open any drain, well or cesspit, or in any way excavate,

Power to council to control the laying of pipes, opening up of streets, etc.

break up or disturb any street within the municipal limits; and the council may—

- (a) refuse to issue such a permit, unless and until payment be made of such sum, to be determined by the council, as may reasonably be estimated to cover the expense that will be incurred by the council in restoring the street to the condition in which it was before the work was undertaken; and
- (b) direct the manner in which any work referred to in this section shall be executed.

Power of council to deal with buildings in dangerous state.

137. If any building within any municipal limits is deemed by the council to be in a ruinous state and dangerous to passengers or to occupiers of the neighbouring buildings, the council shall immediately cause a proper hoarding or fence to be put for the protection of passengers, and shall cause notice in writing to be given to the owner of the building, if he is known and resident within the municipal limits, and shall also cause a notice to be put on the door or other conspicuous part of the building or otherwise to be given to the occupier thereof, if any, requesting him forthwith to take down, secure or repair the building as the circumstances shall require; and if the owner or occupier does not begin to repair, take down or secure the building within the space of three days after any such notice has been so given or put up as aforesaid, and complete the repairs or taking down or securing as speedily as possible, the council may cause all or so much of the building as shall be in a ruinous condition and dangerous as aforesaid to be taken down, repaired, rebuilt or otherwise secured in such a manner as shall be requisite:

Provided that if the condition of the building is such that in the interests of the public safety it is necessary that it be taken down, secured or repaired immediately, the council shall forthwith proceed to cause the same, or so much thereof as is in a dangerous condition, to be taken down, secured or repaired without service of notice on the owner or occupier as herein provided for. In any of the foregoing circumstances all expenses incurred by the municipal corporation in putting up every fence or hoarding and in taking down, repairing, rebuilding, or securing the building, shall be paid by the owner thereof, unless he is actually a pauper, and may be recovered as a civil debt.

Nuisances.

138. For the purposes of this Law, the following shall be deemed to be nuisances liable to be dealt with summarily in manner provided by this Law—

Nuisances.

- (a) any premises in such a state as to be a nuisance or injurious to health;
- (b) any pool, ditch, gutter, water course, privy, urinal, cesspool, drain or ashpit, so foul or in such a state as to be a nuisance or injurious to health;
- (c) any animal so kept as to be a nuisance or injurious to health;
- (d) any accumulation or deposit which is a nuisance or injurious to health or which is unsightly or detrimental to the amenities of the place; ^{22 of 23/42.}
- (e) any house or part of a house so overcrowded as to be dangerous or injurious to the health of the inmates;
- (f) any factory, workshop, workplace, thrashing floor or kiln or any place where animals are kept—
 - (i) of such a nature or so situated, constructed, worked or kept as to be detrimental to the amenities of the place; or
 - (ii) not kept in a cleanly state; or
 - (iii) not ventilated so as to render harmless as far as practicable, any gases, vapours, dust or other impurities generated in the course of the work carried on therein which are a nuisance or injurious to health; or
 - (iv) so overcrowded as to be dangerous or injurious to the health of those employed therein;
- (g) any chimney (not being the chimney of a private dwelling house) sending forth black smoke in such quantities as to be a nuisance;
- (h) any brothel or disorderly house which, either from its situation or from the manner in which it is conducted or for any other reason, it is desirable in the interests of the public to close or remove;
- (i) any roofing, awning, gutter, pipe, channel, overflow or other outlet for water which discharges water in or upon any street or road within the municipal limits in such a manner as to be the cause of damage thereto, or to be a nuisance to passengers;

- (j) any unpaved frontage, path or place attached to any premises and forming part of or adjacent to any street within the municipal limits:

Provided that the person responsible for the abatement of such nuisance shall be the owner or occupier of such adjacent premises;

- (k) any pavement or sidewalk, awning or similar construction which does not comply with the provisions of any bye-law made under this Law respecting the construction or maintenance of pavements or sidewalks, awnings or similar constructions:

Provided that a penalty shall not be imposed on any person in respect of any accumulation or deposit necessary for the effectual carrying on of any business or manufacture if it is proved to the satisfaction of the Court that the accumulation or deposit has not been kept longer than is necessary for the purposes of the business or manufacture, and that the best available means have been taken for preventing injury to the public health.

Notice to
abate
nuisance.

139. On the receipt of any information respecting the existence of a nuisance, the council shall, if satisfied of the existence of a nuisance, serve through the mayor or as he shall direct a notice on the person by whose act, default or sufferance the nuisance arises or continues, or if he cannot be found, on the owner or occupier of the premises on which the nuisance arises, requiring him to abate it within a time to be specified in the notice, and to execute such works and do such things as may be necessary for the purpose:

Provided that where the person causing the nuisance cannot be found, and the nuisance does not arise or continue by the act, default or sufferance of the owner or occupier of the premises, the council may themselves abate it without further order.

Procedure to
be followed
on non-
compliance
with notice
to abate
nuisance.
23 of 23/42.

140. If the person on whom a notice to abate a nuisance has been served under the provisions of section 139 of this Law makes default in complying with any of the requirements thereof within the time specified therein, or if the nuisance is in the opinion of the council likely to recur on the same premises, the council—

- (a) may themselves abate the nuisance and any of the officers or servants of the council may enter the premises upon which the nuisance exists and

there do whatever may be necessary for the abatement of the nuisance, and the council may recover by action the expenses incurred by them from the person in default; or

- (b) may commence proceedings in the District Court for obtaining an order compelling the person in default to abate the nuisance.

141. If the District Court is satisfied that the alleged nuisance exists, or that although abated it is likely to recur on the same premises, the District Court shall make an order on such person requiring him to comply with all or any of the requisitions of the notice, or otherwise to abate the nuisance within a time specified in the order, and to do any works necessary for the purpose; or an order prohibiting the recurrence of the nuisance and directing the execution of any works necessary to prevent the recurrence; or an order both requiring abatement and prohibiting the recurrence of the nuisance.

Power of Court to make order dealing with nuisance.

The District Court may by its order impose any penalty not exceeding five pounds on the person on whom the order is made, and shall also give directions as to the payment of all costs incurred up to the time of the hearing or making the order for abatement or prohibition of the nuisance.

142. Where the nuisance proved to exist is such as to render a house or building in the judgment of the District Court unfit for human habitation, the District Court may prohibit the using thereof for that purpose until the house or building is to the satisfaction of the Court rendered fit for that purpose.

Order of prohibition in case of house unfit for human habitation.

143. Any person who wilfully or negligently fails to obey an order to comply with the requisitions of the council or otherwise to abate a nuisance, shall be liable to a penalty not exceeding two hundred and fifty mils per day during his default, and any person knowingly acting contrary to an order of prohibition shall be liable to a penalty not exceeding five hundred mils per day during such contrary action, and the council or any of its officers or servants may enter the premises to which any order relates, and abate the nuisance and do whatever may be necessary for the execution of the order, and recover by action the expenses incurred by it from the person on whom the order is made.

Penalty on contravention of order of Court.

In certain cases order may be addressed to council.

144. Whenever it appears to the satisfaction of the District Court that the person by whose act or default the nuisance arises, or the owner or occupier of the premises, is not known, or cannot be found, then the order of the District Court may be addressed to and executed by the council.

Appeal to Supreme Court.

145. (1) Any person who has been ordered by a District Court to abate a nuisance may within three days of the making of such order and upon giving an address for service apply to such District Court for leave to appeal against such order to the Supreme Court, and the District Court shall grant such leave on condition that the applicant shall forthwith, and within such time as the District Court shall specify, do all such things and execute all such works in connection with the nuisance as are, in the opinion of the District Court, absolutely necessary to obviate danger or injury to health pending the hearing of the appeal and an appeal shall thereupon lie to the Supreme Court:

Provided that if the applicant shall fail to comply with such condition the appeal shall be dismissed by the Supreme Court.

(2) If the District Court has refused to make an order for the abatement of a nuisance the council may appeal to the Supreme Court from such refusal:

Provided that the council shall within three days declare to the District Court their intention to appeal and shall give an address for service.

(3) Where any appeal is made to the Supreme Court under the provisions of this section the District Court shall forthwith transmit to the Registrar of the Supreme Court the file of the proceedings including the notes of evidence and of any statement which may have been made by the defendant before the District Court and any documents which were produced in evidence.

Fixing day of hearing.

146. The Registrar of the Supreme Court shall upon receiving the notes and documents in the preceding section mentioned fix a day for the hearing of the appeal, and shall notify the parties thereof.

Power of Supreme Court on appeal.

147. The Supreme Court on perusing the file of proceedings, and after hearing the applicant and the respondent or such of them as shall attend at the day fixed for the hearing, shall give judgment, and shall have power—

(a) to confirm, set aside or vary the order of the District Court; or

- (b) to reduce or increase any penalty imposed by the District Court; or
- (c) to make such order or to impose such penalty as may seem just; and
- (d) to make such order with regard to the costs of the appeal as may appear just.

On the hearing of any such appeal the Supreme Court may call for further evidence and reserve its decision until such evidence has been adduced.

148. (1) The council or any of its officers or a medical officer of health shall be admitted into any premises for the purpose of examining whether any nuisance exists thereon at any time between the hours of sunrise and sunset, or, in the case of any business premises, at any hour when the business is usually carried on.

Power of council or medical officer of health to enter premises.

(2) Where under this Law an order of abatement or prohibition of nuisance has been made by any Court, the council or any of its officers or a medical officer of health shall be admitted from time to time into the premises at such hours as aforesaid until the nuisance is abated or the works ordered to be done are completed.

(3) Where any such order as aforesaid has not been complied with or has been disobeyed, the council or any of its officers shall be admitted at such hour as aforesaid into the premises where the nuisance exists in order to abate it.

(4) If admission to premises for any of the purposes of this section is refused, any District Court may by order authorize the council or any of its officers or a medical officer of health to enter the premises during the hours aforesaid until the nuisance for the abatement of which, or the work for which the entry was necessary, has been abated or done. If no person having custody of the premises can be found, the District Court shall, on oath made before it of that fact, by order authorize the council or any of its officers or a medical officer of health to enter the premises during the hours aforesaid.

149. Any person refusing to obey an order under the last preceding section for admission of the council or any of its officers or a medical officer of health to any premises shall be liable to a penalty not exceeding twenty pounds.

Penalty for disobedience of order.
10 of 34/48.

Costs and expenses of execution of provisions relating to nuisances.

150. The District Court may in its discretion on issuing an order to abate a nuisance direct the defendant to pay the costs of the proceedings, and such costs may be recovered in the same way as costs in criminal cases; and in case the order to abate the nuisance is addressed to the council as provided by section 144 hereof, the costs of the proceedings and the expenses incurred in carrying the order of such Court into effect shall be deemed to be money paid for the use and at the request of the person by whose act or default the nuisance was caused, and such costs and expenses may be recovered from such person as a civil debt.

Power to make Rules.

151. The Governor with the advice and assistance of the Chief Justice may, from time to time, make Rules of Court for regulating the practice and procedure of the District Courts in any proceedings for an order to abate a nuisance or upon any appeal therefrom and for prescribing the fees to be taken upon any such proceedings or appeal.

Power of Governor in Council where council makes default.

152. Where it is proved to the satisfaction of the Governor in Council that a council has made default in doing its duty in relation to any nuisance under this Law the Governor may authorize an officer of police to institute any proceeding which the council might institute with respect to such nuisance, and such officer may recover from the defaulting municipal corporation in any court of competent jurisdiction, any expenses incurred by him and not paid by the person proceeded against.

Offensive Trades.

Restriction of establishment of offensive trades.

153. Any person who establishes within any municipal limits without the consent in writing of the council any noxious or offensive trade, business or manufacture, shall be liable to a penalty not exceeding five pounds in respect of the establishment thereof, and any person carrying on a business so established shall be liable to a penalty not exceeding ten shillings for every day on which the offence is continued, whether there has or has not been any conviction in respect of the establishment thereof.

Duty of council to complain of nuisance arising from offensive trade.
24 of 23/42.

154. (1) Where any manufactory, building or place used for any trade, business, process or manufacture is certified to any council by the medical officer of health, or by any two legally qualified medical practitioners, or by any twenty inhabitants within the municipal limits, to be a nuisance or

injurious to the health of any of the inhabitants within the municipal limits, the council shall cause proceedings to be taken in the District Court against any person by or on whose behalf the trade so complained of is carried on in respect of the matter alleged in the certificate.

(2) The District Court shall inquire into the complaint, and if it appears to such Court that the business carried on by the person complained of is a nuisance or injurious to the health of the inhabitants of the locality, the person so offending being the owner or occupier of the premises, or being a foreman or other person employed by the owner or occupier, shall be liable to a penalty not exceeding five pounds nor less than five shillings, and on a second or any subsequent conviction to a penalty of double the amount of the penalty imposed for the last preceding conviction, but the penalty shall not in any case exceed one hundred pounds.

Trade or Professional Licences.

155. (1) It shall not be lawful for any person to keep within any municipal limits a place or building—

- (a) as a khan or public stable;
- (b) as a tannery;
- (c) for the purpose of drying or storing skins;
- (d) as a farrier's shop;
- (e) as a factory where steam, electric or mechanical power is used or in which any explosive substance is used;
- (f) as a coffee house;
- (g) as a kiln;
- (h) as an oven for bakeries;
- (i) as a restaurant;
- (j) as a barber's shop;
- (k) as a drinking shop;
- (l) as a pastry shop;
- (m) as a confectioner's shop;
- (n) as a pharmacy;
- (o) as a shoe maker's shop; or
- (p) as a printing office,

without a licence first obtained therefor from the council.

(2) Any licence granted under subsection (1) of this section may be subject to such terms and conditions as the council may in each case impose and to the payment of such

Certain
business
premises not
to be kept
except on
licence.
5 of 20/53.

fee as the council may by bye-laws made in that behalf prescribe.

(3) Any person contravening the provisions of this section shall be liable on summary conviction to a fine not exceeding five pounds.

20/53.

(4) Any bye-laws made by any Council under the provisions of section 155 as it stood before its repeal by the Municipal Corporations (Amendment) Law, 1953 until varied or revoked by any bye-laws made under this section, shall be deemed to have been made and shall have effect as if made under the provisions of this section:

6 of 20/53.

Provided that nothing in this section contained shall affect the rights or liabilities of any party under a judgment already given by a competent Court.

No person
to carry on
trade, etc.,
without
licence.

156. No person shall, within any municipal limits, carry on, exercise or practise any business, trade, calling or profession for profit unless he has obtained a licence so to do in accordance with the provisions of this Law:

Provided that—

- (a) no person shall be required to obtain more than one licence in the same municipal limits during any period;
- (b) any person who has taken out a licence in any municipal limits shall not be required to take out another licence in any other municipal limits unless he has a permanent place of business therein or remains therein for the purpose of carrying on his business, trade, calling or profession at any one time for a period exceeding seven days;
- (c) this section shall not apply to persons performing only religious duties;
- (d) officers and servants permanently in the service of the Government of the Colony or of the Evcaf Office and in receipt of an annual salary shall not be required to obtain such licence but shall pay the fees hereinafter provided.

Licensing
of persons
carrying on
business,
etc.
9 of 41/44.

157. (1) Any person desiring to carry on, exercise or practise, for profit, any business, trade, calling or profession within any municipal limits shall apply to the council for a licence and the council shall determine the fee payable

therefor, not exceeding the appropriate fee set out in Part I of the Tenth Schedule to this Law: Tenth Schedule.

Provided that—

- (a) any person aggrieved may, within seven days from the day of the notification to him of such determination, appeal to the Commissioner of the district whose decision shall be final and conclusive;
- (b) nothing in this section contained shall apply to persons performing only religious duties;
- (c) subject to the provisions of section 159 of this Law, nothing in this section contained shall apply to the officers and servants to which section 159 relates.

(2) Upon payment of the fee determined by the council or of such fee as may be decided upon by the Commissioner on appeal, as the case may be, the council shall cause the name of the applicant to be entered in a register kept for the purpose (hereinafter called the "register of trade licences") and shall issue to the applicant a licence.

(3) The council shall keep the register of trade licences open for inspection by any person interested at all reasonable times without the payment of any fee.

158. If any person fails to apply to the council for a licence, as in section 157 of this Law provided, within one month of his having commenced or recommenced to carry on, exercise or practise any business, trade, calling or profession, the council may determine the fee payable by such person, not exceeding the appropriate fee set out in Part I of the Tenth Schedule to this Law, and enter his name in the register of trade licences and the decision of the council shall be final and conclusive. Default in applying to the council for a licence.
9 of 41/44.
Tenth Schedule.

159. (1) Officers and servants permanently in the service of the Government of the Colony or of the Evcaf Office and in receipt of an annual salary shall pay to the municipal corporation within the limits of which they usually perform their duties the fees set out in Part II of the Tenth Schedule to this Law. Fees payable by officers and servants of Government.
10 of 41/44.
2(a) of 14/55.
Tenth Schedule.

(2) The fees provided for by subsection (1) of this section shall be payable in two half annual instalments on the thirtieth day of June and the thirty-first day of December of each year: 2 (b) of 14/55.*

* Law 14/55 came into operation on the 30th March, 1955.

Provided that no such payment shall be made if the officer has not for the period of six months preceding any such date performed his duties within any municipal limits.

(3) Any dispute arising under the provisions of this section as to—

- (a) whether any or what fees are payable; or
- (b) the municipal corporation to which any fees are payable,

shall be referred to the Administrative Secretary whose decision shall be final and conclusive.

Form of
licence.
11 of 41/44.
Tenth
Schedule.

160. A licence shall be in the form set out in Part III of the Tenth Schedule to this Law.

Term of
licence.

161. A licence may be a yearly licence which shall expire on the 31st day of December next following the issue thereof, or a half yearly licence which shall expire on the 30th of June or the 31st of December next following the issue thereof.

Carrying on
trade, etc.,
without
licence, an
offence.
11 of 34/48.

162. Any person who, within any municipal limits, carries on, exercises or practises any business, trade, calling or profession without—

- (a) having applied for a licence so to do within one month of his having commenced or recommenced so to do; or
- (b) applying for the renewal of any licence so to do within one month of the expiry of any licence previously granted to him,

shall be guilty of an offence and shall, on summary conviction, be liable to a fine not exceeding twenty pounds.

Offences in
connection
with licence.

163. Any person who is required by this Law to hold a licence in respect of his business, trade, calling or profession who,

- (a) upon demand being made therefor by any peace officer or by an officer of the council refuses or fails to produce his licence; or
- (b) lets out, hires or lends his licence to any other person; or
- (c) not having a licence shall produce, exhibit or use any paper or thing with intent to cause it to be believed that he has such licence,

shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding five pounds.

164. (1) No person shall, within any municipal limits, hawk any articles, goods or things without a licence in that behalf first obtained from the council.

Hawking
within
municipal
limits.
27 of 23/42.

(2) No fee shall be charged or paid in respect of the issue of any such licence but the licensee shall pay in respect of every day upon which he hawks a fee in accordance with the scale of fees set out in the Eleventh Schedule to this Law, or such lesser scale as may be fixed by bye-laws made by the council.

Eleventh
Schedule.

(3) Every bye-law made under this section shall be subject to the provisos to subsection (1) of section 125 of this Law.

(4) Any person contravening any of the provisions of this section shall be guilty of an offence and shall on conviction be liable to a fine not exceeding five pounds.

12 of 34/48.

Theatres, etc.

165. (1) Within any municipal limits no theatre shall be used for any purpose and no building, place or tent shall be used for the performance of any stage play or cinematograph exhibition or for dancing or for any entertainment to which the public is admitted or for any public meeting without a licence first obtained from the council in accordance with the provisions of this Law.

Theatres,
etc., not to
be used
without a
licence.
28 of 23/42.

(2) The council may grant such licence either for a single performance or for any period not exceeding one year:

Provided that no such licence shall be granted unless and until the applicant therefor shall produce a certificate from—

- (a) the Director of Public Works or his representative, that the premises or tent and the fixtures, fittings and furniture therein and the lighting and ventilation thereof are respectively suitable and safe in all respects for the purpose for which they are intended to be used, and
- (b) the officer in charge of the police within the municipal limits, that adequate provision has been made in the premises or tent to,
 - (i) prevent fire, and

- (ii) extinguish fire, and
- (iii) allow of all persons leaving in safety in case of fire.

Grant and form of licence.
Twelfth Schedule.

166. (1) Any licence granted under the preceding section shall be granted to the owner, lessee or occupier of the premises and shall be in the form set out in the Twelfth Schedule to this Law and in accordance with and subject to the conditions in such form, and the council may in addition thereto impose any special condition or conditions.

(2) The council may charge such fee for any such licence as they may by bye-laws made in that behalf prescribe.

Special provisions for superintendence by officer.

167. (1) Where a council grants a licence as aforesaid upon a special condition that the premises shall only be used for the purpose for which such licence is granted under the superintendence of some officer or person designated in the licence, it shall be lawful for such officer or person and such officer or person shall—

(a) if he considers it necessary for the safety of the premises or the persons therein order that the stage play, cinematograph exhibition, entertainment, public meeting or other purpose for which the premises are being used shall cease; or

(b) give such other directions as he shall consider necessary for the safety of the premises or the persons therein,

and in any such event the person in charge of the premises and all persons therein shall forthwith obey such order or comply with such directions.

(2) Any person contravening the provisions of subsection (1) hereof shall be guilty of an offence and shall on summary conviction be liable to the penalties provided in section 170 hereof.

Revocation of licence.

168. Notwithstanding anything in this Law contained the council shall revoke any licence granted under the provisions of section 165 hereof if—

(a) the Director of Public Works or his representative shall certify to them that the premises or tent or the fixtures, fittings, furniture or lighting or ventilation thereof respectively have become

unsafe or unsuitable in any respect for the purpose for which the licence was granted; or
 (b) the officer in charge of the police within the municipal limits shall certify to them that adequate provision is no longer made to prevent fire or to extinguish fire or to allow of all persons leaving the premises or tent in safety in case of fire,
 and the council may revoke any such licence upon any failure by any person to comply with, or with any of the terms of, any such licence or upon any breach thereof by any person.

169. Any person aggrieved by the grant or refusal of a licence or by the revocation of or the refusal to revoke a licence may appeal therefrom as in this Law provided. Appeals.

170. Any person using or causing to be used or authorizing or allowing the use of any building, place or tent for any of the purposes mentioned in section 165 of this Law in respect of which no valid and subsisting licence has been issued or in breach of any term or condition of any licence issued in respect thereof shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding fifty pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment and upon any such conviction the Court may, notwithstanding that the offence was committed by some person other than the licensee, revoke or suspend for any period, any such licence. Offences.
29 of 23/42.

171. (1) A police officer of any rank not lower than that of sergeant or any officer appointed for the purpose by a council may, at all reasonable times, including the time when any premises or tent are in use, enter— Police, etc.,
to enter.

(a) any premises or tent in respect of which a licence has been granted hereunder in order to see that the terms and conditions of such licence and the provisions of this Law have been complied with;
 or

(b) any premises or tent which he has reason to believe are being used, or are to be used in contravention of the provisions of section 165 hereof.

(2) Any person preventing or obstructing the entry of any officer acting under the provisions of subsection (1)

hereof shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding twenty pounds, or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

Weighing, etc.

Compulsory weighing, measuring and testing.

172. (1) Whenever a sale takes place within any municipal limits, or whenever goods, the subject matter of any sale, are delivered or are to be delivered within such limits, the vendor or the purchaser of such goods shall inform a municipal weigher that the same are ready and require to be weighed, measured or tested and shall afford to the municipal weigher every facility to enable such weighing, measuring, or testing to take place, and all such goods shall be weighed, measured or tested by the municipal weigher. Upon such weighing, measuring or testing the vendor, or the purchaser for the account of the vendor, shall pay to the municipal weigher for such weighing, measuring or testing the fees specified in the Thirteenth Schedule hereto:

Thirteenth Schedule.

Provided that the minimum fee to be paid shall be the sum of three mils:

Provided also that the provisions of this section shall apply only to goods enumerated in such Schedule, not being imported goods, and to quantities of such goods being not less than the minimum weight or measure therein specified.

(2) Any person contravening this section shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding three pounds:

Provided that if the municipal weigher on receipt of notice as herein prescribed does not within one hour of the time at which such notice was received proceed to weigh, measure or test the goods for which he received notice, the vendor or purchaser, or both may weigh, measure or test the goods without incurring any penalty and without being liable to pay any fees.

Councils to have power to fix fees by bye-laws.
3 of 25/43.

173. Notwithstanding anything in this Law contained any council may, with the approval of the Governor, make bye-laws fixing the fees to be paid for the weighing, measuring or testing of goods as provided in section 172 hereof and upon the making of such bye-laws the fees payable under the provisions of the said section shall be the fees set forth in such bye-laws in lieu of the fees set forth in the Thirteenth Schedule hereto and the Thirteenth Schedule hereto shall

Thirteenth Schedule.

cease to apply to any such goods weighed, measured or tested within the municipal limits within which the council making such bye-laws operates.

174. Upon the completion of any weighing, measuring or testing under the provisions hereof, the municipal weigher shall enter, in a book to be kept for that purpose, full particulars of the transaction and the amount of fee payable in respect thereof, and, upon receipt by him of the prescribed fees, shall hand to the person who requires such weighing, measuring or testing, a certificate setting forth the required particulars and the amount of fees paid.

Transaction to be entered in book and certificate to be given.

175. Any municipal weigher who shall,

(a) improperly or inaccurately weigh, measure or test any goods or articles which he is required to weigh, measure or test in pursuance of this Law;

or

(b) make any false entry or a false certificate or record with regard to such weight, measure or test with intent to defraud,

Defaults by municipal weigher.

shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

176. Whenever the proper officer of customs for any lawful purpose in performance of the duties of his office shall require of a council that any goods or other articles within the municipal limits shall be weighed, the municipal weigher shall effect such weighing and the fees payable in respect thereof shall be paid to the municipal weigher by the owner of such goods or articles.

Weighing at instance of customs officers.

177. The council shall appoint such number of persons as municipal weighers as shall be necessary for carrying out the provisions of this Law. Such persons shall receive such salaries as the council, with the approval of the Governor, shall appoint.

Council to appoint municipal weighers.

178. (1) Any person bringing within the municipal limits of any town from any place within the Colony for disposal, manufacturing or processing within such town or for export therefrom any goods upon the sale of which the vendor would be liable to the payment of fees under the

Tolls.
3 of 29/54.

Thirteenth
Schedule.

provisions of section 172 hereof shall, subject to the provisions of this section, notwithstanding that such goods are not weighed, measured or tested, pay to the municipal weigher the fees set forth in the Thirteenth Schedule to this Law as though such goods have been weighed, measured or tested in accordance with the provisions of section 172 hereof, and the municipal weigher shall give to such person a receipt showing the particulars of the goods and the amount paid:

4 of 25/43.

Provided that where any council has made bye-laws under the provisions of section 173 hereof the fees payable under the provisions of this section shall be the fees set forth in such bye-laws in lieu of the fees set forth in the Thirteenth Schedule as aforesaid.

(2) If such person shall—

(a) take such goods or any part thereof within the municipal limits of any other town; or

(b) sell such goods or any part thereof in the municipal limits of the town in which such fees were paid or in any other municipal limits and in consequence of such sale such goods or part thereof are weighed, measured or tested,

such person upon the production of such receipt and upon proving to the reasonable satisfaction of the municipal weigher that such goods so taken or sold are the goods or part thereof in respect of which the receipt was given, shall not be liable to pay any further fee in respect of such goods or the weighing, measuring or testing thereof but save as aforesaid the provisions of this Law as to weighing, measuring or testing shall apply to such goods.

(3) The provisions of this section shall not apply to any goods in transit from one part of the Colony to another.

Failure to
pay tolls.

179. Any person failing or neglecting or refusing to pay fees in accordance with the provisions of section 178 hereof shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding three pounds.

Carobs
transported
from within
municipal
limits and
fees payable
thereon.
37 of 23/42.

180. (1) Notwithstanding anything in this Law contained, no carobs shall be transported either by land or sea from within any municipal limits to any other place within the Colony unless such carobs have been weighed by a municipal weigher and the weighing fee prescribed in subsection (3) of this section has been paid.

(2) Any person intending to transport carobs as aforesaid shall give notice to a municipal weigher that the same are ready and required to be weighed and shall afford to the municipal weigher every facility to enable such weighing to take place and all such carobs shall be weighed by the municipal weigher.

(3) Upon such weighing the consignor of the carobs, or the consignee thereof for the account of the consignor, shall pay to the municipal weigher a weighing fee at the rate of fifteen mils for each Aleppo cantar of the carobs so weighed, and thereupon the municipal weigher shall give to the payee a receipt in respect thereof showing the quantity of the carobs weighed and the amount of the fee paid.

(4) Where any carobs—

(a) which have been weighed; and

(b) in respect of which a weighing fee has been paid and a receipt therefor has been given,

as in this section provided, are—

(i) taken within any other municipal limits for disposal therein or for export therefrom either in their natural state or ground; or

(ii) sold within any other municipal limits, either in their natural state or ground, and in consequence of such sale such carobs or any part thereof are required to be weighed,

then upon the production of the said receipt to the municipal weigher and upon proof to his reasonable satisfaction that such carobs are the carobs in respect of which the said receipt was given or that a quantity of carobs equivalent to that shown in the receipt has passed into the hands, and is in the possession, of the person producing such receipt, the municipal weigher shall endorse the receipt accordingly and thereupon no further fee shall be charged under this Law in respect of any such carobs or any part thereof or in respect of the weighing thereof.

(5) Upon the export from any municipal limits of a quantity of carobs in respect of which a receipt has been produced and endorsed as in subsection (4) of this section provided, such receipt shall be produced by the exporter to the municipal weigher who shall cancel the same either in respect of the total quantity of carobs mentioned therein or in respect of any lesser quantity of carobs exported, as the case may be.

(6) Any person contravening the provisions of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding three pounds:

Provided that if the municipal weigher on receipt of notice as in subsection (2) of this section provided does not within one hour of the time at which such notice was received proceed to weigh the carobs for which he received notice, the consignor or consignee or both may weigh the carobs without incurring any penalty and without being liable to pay any fees.

Saving.
38 of 23/42.

181. This Part of this Law shall not apply—

- (a) to any goods the subject matter of any sale or purchase by or on behalf of the Government of the Colony, nor to any goods brought into any municipal limits, nor to any goods imported into the Colony, by or on behalf of the Government of the Colony;
- (b) to any goods the subject matter of any sale or purchase by or on behalf of Her Majesty's Forces and duly certified as such by the officer who carries out such sale or purchase.

PART IV.

OFFENCES AND LEGAL PROCEEDINGS.

182. (1) Any person who, in any street or public place within any municipal limits—

Certain offences.

Animals at large.

Dangerous loads.

Dangerous openings.

- (a) suffers any horse, mule, ass or cattle to be at large at any time without any person having the charge thereof; or
- (b) causes any tree, timber or iron beam to be drawn in or upon any carriage without having efficient means of safely guiding it; or
- (c) leaves open any vault or cellar or the entrance from any street to any cellar or room underground, without a sufficient fence or handrail, or leaves defective the door, windows or other covering of any vault or cellar, or does not sufficiently fence any area, pit or sewer left open, or leaves such open area, pit or sewer without a sufficient light after sunset to warn and prevent persons falling thereinto; or

- (d) pours or allows any water to pass into any street, or pours or allows any dirty water to pass into any street channel; or Pouring water into streets, etc.
39 of 23/42.
- (e) wilfully and unlawfully extinguishes the light of any street lamp or breaks any such electric lamp; or Extinguishing lights.
- (f) (i) wilfully causes any obstruction by means of any cart, carriage, truck or barrow, or any animal or other means; or Obstruction.
- (ii) without necessity places or leaves any furniture, goods, wares or merchandise, or any cask, tub, basket or bucket, or places or uses any standing place, stool, bench, stall, showboard or other thing, or places any blind, shade, covering or other projection over or along any such street or public place, unless it is ten feet in height at least in every part thereof from the ground; or
- (iii) places, hangs up or otherwise exposes for sale any goods, wares, merchandise or thing whatsoever so that they project into or over any road or pavement or footway, or beyond the line of any house, shop or building at which they are so exposed, so as to obstruct or incommode the passage of any person along the road or footway; or
- (iv) rolls or carries any cask, tub, hoop or wheel or any ladder, plank, pole, timber or log of wood upon any footway, except for the purpose of loading or unloading any cart or carriage, or of crossing the footway; or
- (v) places any line, cord or pole across or along any such street or public place, or hangs or places any clothes or other things to dry therein; or
- (g) being a common prostitute, loiters and importunes passengers for the purpose of prostitution; or Prostitutes.
- (h) rides or drives furiously any horse or vehicle, or drives furiously any cattle; or Riding and driving.
- (i) shakes or dusts any carpets or other similar articles into any such street or public place from any shop, window or balcony; or Shaking carpets, etc.
- (j) does any wilful damage or injury to such street; or Street damage to.
- (k) throws from the roof or any part of a house or other building any earth, tile, wood, rubbish, water or other thing; or Throwing missile.

Throwing or depositing any matter or thing in street.

39 of 23/42.

Prohibition against throwing matter into underground channels.

39 of 23/42.

13 of 34/48.

Street names.

13 of 34/48.

(*l*) throws, deposits or leaves any matter or thing in or upon any street; or

(*m*) throws or drops or permits or allows to be thrown or dropped any matter or thing into any underground channel belonging to or under the control of the council; or

(*n*) affixes or causes or suffers to be affixed any name of a street or of a public place, approval whereof has not been obtained as in section 123 (1) (*u*) of this Law provided; or

(*o*) removes, destroys, defaces or obliterates or causes to be removed, destroyed, defaced or obliterated the name of any street or of a public place, lawfully affixed thereat or thereon,

13 of 34/48. shall be guilty of an offence and shall, on summary conviction, be liable to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding fourteen days and, in the case of a conviction for an offence under paragraph (*n*) hereof, the Court may order the payment of a further fine not exceeding five pounds for every day during which the person convicted suffers or permits the name in respect of which the offence was committed to remain affixed.

13 of 34/48. (2) When an offence is committed under this section, each of the following persons is deemed to have taken part in committing the offence and to be guilty of the offence and may be charged and tried with actually committing it and may be punished accordingly, that is to say—

(*a*) every person who actually does the act or makes the omission which constitutes the offence;

(*b*) every person who does or omits to do any act for the purpose of enabling or aiding another person to commit the offence;

(*c*) every person who aids or abets another person in committing the offence;

(*d*) any person who counsels or procures any other person to commit the offence.

13 of 34/48. (3) Notwithstanding anything contained in this or any other Law, any police officer may remove the name of a street or of a public place affixed thereat or thereon, whether before or after the commencement of this Law, approval whereof has not been obtained as in section 123 (1) (*u*) of this Law provided.

183. Any person who obstructs any officer or servant of a municipal corporation in the execution of any provision of this Law shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding two pounds or to imprisonment for a term not exceeding fourteen days or to both such fine and imprisonment, and the Court before which the offence is tried may order him to pay to the corporation such sum by way of damages occasioned by the obstruction as to the Court shall seem just.

Obstructing officers or servants of corporation in execution of their duties.

184. (1) If the District Court before which any person is brought for any contravention of this Law or for an offence against this Law or for the breach of any bye-law of a municipal corporation made under this Law, finds such person guilty of such contravention or offence or breach of any bye-law such Court shall in addition to the penalty it may consider fit to impose on such person and in addition to the costs of the proceedings order such person to pay any fees or duties connected with the charge which such person ought to have paid and which he failed or refused or neglected to pay.

District Court to order payment of fees or duties not paid.

(2) All such fees and duties ordered by the Court to be paid shall be recoverable in the same way as fines and penalties are recovered under any Law in force for the time being for the recovery of fines and penalties.

185. All fines, fees, penalties and costs recovered under this Law shall be paid to and shall form part of the town fund unless otherwise provided therein.

Penalties to be paid to the town fund.

186. Every municipal corporation may sue and recover by civil proceedings from any person in default any charge, fee, rate, duty or toll prescribed in this Law or in any bye-law made hereunder notwithstanding that the non-payment thereof is due to an act or omission of such person which is made an offence by this Law or any such bye-law and notwithstanding that the person in default has or has not been prosecuted in respect of such offence.

Power to municipal corporation to recover charges, fees, rates, duties and tolls by civil proceedings. 40 of 23/42.

187. Any person who shall contravene any provision of this Law for the contravention whereof no penalty is provided by this Law shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding twenty pounds.

Offences not otherwise provided for. 14 of 34/48.

Councillor
or officer
accepting
bribes, etc.
Cap. 154.

188. For the purposes of sections 100 to 105 (inclusive) of the Criminal Code, any mayor, deputy mayor or other councillor shall in respect of his duties as mayor, deputy mayor or councillor be deemed to be a person employed in the public service.

PART V.

MISCELLANEOUS.

Appeals to
Governor
in Council
in certain
cases.
41 of 23/42.

189. (1) Save where under the provisions of this Law an appeal lies to the Commissioner, any person aggrieved by—

(a) the grant or renewal of a licence or permit by the council, or the refusal of the council to grant or renew a licence or permit; or

(b) the withdrawal, suspension or revocation of a licence or permit by the council; or

(c) any term or condition attached by the council to any licence or permit; or

23 of 12/46.

(d) the grant or refusal of, or the revocation or refusal to revoke, a licence by the council to use any theatre or other building, structure or tent for the presentation of stage plays, cinematograph exhibitions, dancing or other entertainments or public meetings,

may, within fourteen days from the date of notification of the decision of the council upon any matter as in this section mentioned as the case may be, appeal to the Governor in Council, whose decision thereon shall be final and conclusive.

(2) Every such appeal shall—

(a) be in writing and signed by the appellant;

(b) set out the grounds upon which it is founded; and

(c) be made to the Governor in Council through the Commissioner.

(3) Upon receipt of any such appeal, the Commissioner shall make such inquiry thereon as he shall think fit and shall thereafter transmit the appeal together with his recommendations or observations thereon to the Administrative Secretary for the consideration of the Governor in Council.

No appeal
in certain
cases.

190. Whenever in this Law it is provided that any decision, order or other act shall be final and conclusive no appeal shall lie therefrom to the Supreme Court or to any other Court.

191. Wherever in this Law it is provided that any matter shall be referred to arbitration without any express provisions as to the manner of such arbitration such matter shall be referred to a single arbitrator to be agreed upon between the parties or failing such agreement to be nominated by the Administrative Secretary.

Arbitration.

192. (1) The town clerk or any other person authorized by the council may prosecute before any Court for any contravention of this Law or of any bye-laws made thereunder and the provisions of any Law relating to prosecutions by private persons shall apply to all such prosecutions.

Prosecution and appearance in legal proceedings, etc.
4 of 29/54.

(2) Any municipal corporation or council may appear before any Court or in any legal proceedings by the town clerk or other person authorized either in general or specifically in this respect by a resolution of the council.

(3) Service of any summons, order or other proceeding upon the mayor or the town clerk shall be deemed effectual service on the corporation or council.

193. (1) Notwithstanding anything in any enactment contained, the Governor in Council may, on the application of a council and on payment by such council of such annual sum as the Governor in Council may from time to time determine, remit any Court fees payable by the municipal corporation or council in respect of any legal proceedings instituted by such corporation or council for the enforcement of the provisions of this Law or of any bye-laws made thereunder, and thereafter no such fees shall be paid by any municipal corporation or council in respect of which such remission has been made.

Commutation of Court fees.
42 of 23/42.

(2) No advocate's fees shall be awarded by any Court against any person in any proceedings instituted by a municipal corporation or council in respect of which the Court fees have been remitted under the provisions of subsection (1) of this section:

Provided that provision may be made in the estimates of such municipal corporation for the remuneration of advocates employed for the conduct of prosecutions.

194. All permits, licences, notices or documents issued by a council under the provisions of this Law shall, unless otherwise provided therein, be issued by the mayor.

Issue of permits, etc.

Deputy
mayor to
act for
mayor.

195. If at any time a mayor is absent from the municipal limits or is for any other reason unable to perform the duties or exercise the powers assigned to him by this Law, or any Law amending this Law, such duties shall be performed and such powers shall be exercised by the deputy mayor who in the performance and execution thereof shall have all the powers of the mayor and shall be liable to the like penalties for any failure therein:

43 of 23/42.

Provided that if at any time both the mayor and the deputy mayor are absent from the municipal limits or they are unable to perform the duties or exercise the powers conferred upon the mayor by this Law or any Law amending this Law, such duties shall be performed and such powers shall be exercised by such councillor as the Governor may appoint in that behalf who shall have all the powers of the mayor and shall be liable to the like penalties for any failure therein.

Service of
notices, etc.
how to be
effected.

196. Notices, orders or any other documents required or authorized to be served under this Law, may be served by delivering the same to or at the residence of the persons to whom they are respectively addressed or, where addressed to the owner or occupier of the premises, by delivering the same or a true copy thereof to some person on the premises, or if there is no person on the premises who can be so served, by fixing the same on some conspicuous part of the premises. Any notice by this Law required to be given to the owner or occupier of any premises may be addressed by the description of the "owner" or "occupier" of the premises (naming them) in respect of which the notice is given, without further name or description.

Power to
amend
certain
Regulations.

197. The Governor in Council may, from time to time, by order, to be published in the Gazette, vary or amend the Regulations and forms contained in the First, Third, Fifth and Sixth Schedules to this Law.

Power to
order that
fire extin-
guishing
services
shall be
undertaken
by Police
Fire
Brigades.
Cap. 285.
15 of 34/48.

198. (1) Notwithstanding anything in this Law contained, the Governor may, by order to be published in the Gazette, direct that, as from such date as may be specified in the order, the provision of services and appliances for extinguishing fires shall be undertaken by a Police Fire Brigade established under the Police Law, or any Law amending or substituted for the same, instead of by the council of the municipal corporation named in the order and as from the date specified in the order, paragraph (i)

of subsection (1) of section 123 of this Law shall be suspended in so far as it applies to the municipal corporation named in the order.

(2) As from the date specified in an order made under the provisions of subsection (1) of this section, the council of the municipal corporation named therein shall become liable to pay into the Department of the Accountant-General out of the annual revenue of the municipal corporation, the cost of providing the aforesaid services and appliances, and such payment, in respect of the immediately preceding year, shall be made upon the demand of the Accountant-General:

Provided that no municipal corporation shall be required to pay in respect of any year a sum in excess of five per centum of its revenue for that year:

Provided further that in calculating the annual revenue of a municipal corporation for the purposes of this section, only the net receipts from any undertaking certified by the Administrative Secretary to be an industrial undertaking carried on by the municipal corporation shall be taken into account.

(3) When an order is made under the provisions of subsection (1) of this section, the council of the municipal corporation affected thereby shall, on the occasion of any fire, be bound to place at the disposal of the Police Fire Brigade all the available water belonging to, or under the control or charge of the municipal corporation.

199. (1) The Governor may from time to time by order direct the closing during and for any periods before or after any election by poll held under the provisions of this Law of all or any of the premises licensed for the sale of intoxicating liquors by retail (including clubs) situate within the area in which such election is taking place.

Power to close licensed premises on account of poll.

(2) Any person who—

(a) opens any premises in contravention of any such order; or

(b) is found in any premises opened in contravention of any such order,

shall be guilty of an offence and shall on summary conviction be liable to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.

(3) All such orders shall be published in the Gazette.

Provision
in respect
of public
holidays.

200. Whenever any day by this Law appointed for doing any act or thing shall fall on a Sunday, Christmas day, Good Friday or any day appointed for a general public holiday, such act or thing so appointed to be done shall be done on the day next following, not being one of the aforesaid days.

Application
of Law.

201. Where in any Law or other enactment in force at the commencement of this Law reference is made to any municipality or municipal council or to the president or vice-president thereof such reference shall, unless the context otherwise requires, be deemed to apply to the municipal corporation, or the council thereof or to the mayor or deputy mayor thereof respectively substituted therefor under the provisions of this Law.

FIRST SCHEDULE.

16 of 34/48. REGULATIONS FOR THE PREPARATION AND REVISION OF ELECTORS LISTS AND ELECTORS ROLLS.
(Sections 13, 14 and 15.)

1. In this Schedule—

“Commissioner” includes any person authorized by the Commissioner to act on his behalf for all or any of the purposes of this Schedule;

“mukhtar” and “aza” means the mukhtar and aza of the town or of the quarter of the town in respect of which such mukhtar or aza is required or empowered to act under the provisions of this Schedule;

PART I.

2. (1) Between the 10th day of January and the 10th day of February of the year 1949, both inclusive, and thereafter between the same dates in every fourth year following, the Christian mukhtar and not less than two Christian azas, as the Commissioner may nominate, shall prepare a list of every person ordinarily resident in their town or quarter, who is *prima facie* entitled to be enrolled as a Christian elector under the provisions of section 5 of this Law and the Moslem mukhtar and not less than two Moslem azas, as the Commissioner may nominate, shall similarly prepare a list of every person ordinarily resident in their town or quarter who is *prima facie* entitled to be enrolled as a Moslem elector under the provisions of section 5 of this Law.

Form 1. (2) The lists shall be as in form 1 in this Schedule and shall contain the particulars therein set out.

(3) For the preparation of the lists, the mukhtar and azas shall make a house to house inquiry and, for that purpose, may enter any house at any time between sunrise and sunset and put to any person, who claims to be entitled to be enrolled as an elector and to the person in charge of the house, any question bearing on the qualifications of the person so claiming.

Every person so questioned shall be bound to answer truly all questions put to him in connection with the inquiry and any person who knowingly makes a false answer to any question put to him bearing on the matter of the inquiry shall be guilty of an offence and shall, on summary conviction, be liable to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

(4) Upon completion of the lists, the mukhtar and azas shall verify the same by affidavit on oath as included in form 1 of this Schedule:

Provided that, notwithstanding anything in any Law or public instrument contained, no fee shall be payable in respect of any such affidavit.

(5) After the verification of the lists as in paragraph (4) hereof provided, the mukhtar, not later than the 11th day of February in the year in which the lists are prepared, shall deliver the lists to the Commissioner and, thereupon, the Commissioner shall pay to the mukhtar and to each aza verifying the list a fee to be determined by the Commissioner but in no case exceeding £30 for the mukhtar and £15 for each of the azas.

3. (1) The Commissioner shall, out of the lists delivered to him by the Christian and Moslem mukhtars as in paragraph (5) of regulation 2 provided, prepare separate lists of the Christian and Moslem electors for each quarter, setting out in alphabetical order the names therein appearing and shall cause copies of such lists to be posted outside his office as well as outside the office of the municipal corporation concerned, not later than the 10th day of March, in the year in which the lists are prepared.

(2) If, for any reason, no list for any town or quarter is delivered to the Commissioner by the 11th day of February as in paragraph (5) of regulation 2 provided, then in every such case the Commissioner shall prepare or cause to be prepared the list which should have been so delivered, completing the preparation of the list and the setting of the names in alphabetical order and the posting of the same as in paragraph (1) hereof provided, not later than the 10th day of March in the year in which the list is prepared.

4. (1) Any person whose name is not in the lists and who claims to have his name inserted therein may, between the 10th and the 18th days of March both inclusive next following the posting of the lists as hereinbefore provided, apply to the Commissioner as in form 2 in this Schedule, setting out his claim and giving the particulars therein set out, and any person whose name, being in the lists, claims to have the name of any person struck off such lists, may, between the same dates as aforesaid, apply to the Commissioner as in form 3 in this Schedule, setting out his claim and giving the particulars therein set out.

(2) Every application under paragraph (1) hereof shall be accompanied by a deposit of five hundred mils and shall be supported by an affidavit on oath as in form 4 in this Schedule:—

Provided that—

- (a) where a person applies for the striking off a list of the name of any other person included in the list, the person applying shall, within the same period, give notice to the person affected either by serving on him a copy of his application or by leaving it at the address shown on the list;
- (b) notwithstanding anything in any Law or public instrument contained, no fee shall be payable in respect of any such application or affidavit;

(c) the deposit of five hundred mils shall be returned to the applicant if his application is successful or if the Revising Judge so direct, and in every other case it shall be forfeited.

(3) Any person who claims that any of the particulars in the lists respecting himself is incorrect may, not later than the 18th day of March (inclusive), after the posting of the lists as hereinbefore provided, by letter handed to the Commissioner, request him to have such particulars corrected and, thereupon, the Commissioner, if satisfied that, though there is no doubt as to the identity of the applicant any of the particulars respecting him is in fact incorrect, may forthwith correct the lists accordingly by initialling the corrections.

5. Upon receipt of an application as hereinbefore provided, the Commissioner shall, not later than the 24th day of March next following the receipt of the application, cause to be posted outside his office and outside the office of the municipal corporation concerned, lists of all such applications and shall, at the same time, transmit copies thereof to the Revising Judge with an endorsement showing the date of such posting together with a copy of each list as prepared by him as in regulation 3 hereof provided.

6. Upon receipt of the copies of the lists as hereinbefore provided, the Revising Judge shall, forthwith, by notice published in the Gazette fix the place, date and hour for the hearing of such applications:

Provided that the date shall be not less than eight days from the date of the publication of the notice in the Gazette.

7. (1) At the place and on the appointed date and hour, the Revising Judge shall hold an open court for the hearing of the applications and shall proceed to determine such applications and to rectify the list in accordance with any decision reached thereon, writing his initials against every such rectification and such decision shall be final and conclusive and no appeal shall lie therefrom.

(2) The Revising Judge shall, for the purposes of the hearing of the applications as hereinbefore provided, have all the powers possessed by a member of a District Court during the hearing of a civil action and shall conduct the hearing in such manner as to him may appear desirable following, however, as nearly as possible the same procedure as the procedure followed in a court of law for the hearing of a civil action.

(3) At every such hearing, the Commissioner or his representative and the mukhtar of the town or quarter, in respect of which the lists affected by the proceedings were prepared, shall be entitled to attend and take such part in the proceedings as if he were a party thereto in a civil action and the Revising Judge may allow any other person to appear and take such part in the proceedings as to him may seem fit for the proper determination of the matter in issue.

(4) The Revising Judge may, in his discretion, award costs to any party and such costs may be recovered as a judgment debt and he shall deal with the deposit of five hundred mils as hereinbefore in regulation 4 (2) provided:

Provided that no costs shall be awarded against the Commissioner or his representative or a mukhtar.

(5) The Revising Judge may adjourn the hearing from time to time:

Provided that no hearing or adjourned hearing shall be held after the 28th day of April in the year in which the applications are heard.

8. Upon the completion of the rectification of the lists, the Revising Judge shall, not later than the 29th day of April in the year in which the lists are revised, transmit the lists to the Commissioner.

PART II.

1. Between the 10th and the 14th days of January, both inclusive, in each one of the three years following the preparation and revision of the electors lists as in Part I of this Schedule provided, any person who claims that he has become, in the meantime, entitled to be enrolled as an elector for that year may apply to the Commissioner as in form 2 in this Schedule setting out his claim and giving the particulars therein set out. Form 2.

2. (1) The Commissioner may, upon inquiry, either accept the application, in which case he shall, not later than the 1st day of March, cause a list of all applications so accepted to be posted outside his office and outside the office of the municipal corporation concerned, or refuse the application, in which case he shall, not later than the day aforesaid, give notice therefor to the applicant.

(2) Any person, whose name being in the electors roll, objects to the Commissioner's acceptance of an application may, within eight days from the day of the posting of the notice of acceptance as hereinbefore provided, submit his objection to the Commissioner as in form 5 in this Schedule setting out the grounds of his objection and giving the particulars therein set out. Form 5.

Any person whose application has been refused by the Commissioner may, within the same period as hereinbefore provided, give notice to the Commissioner as in form 6 in this Schedule that he requests the matter to be considered by a Revising Judge, setting out the grounds on which his request is made and giving the particulars therein set out. Form 6.

(3) Every application and notice as in paragraph (2) hereof provided shall be accompanied by a deposit of five hundred mils and shall be supported by an affidavit on oath as in form 4 in this Schedule: Form 4.

Provided that—

- (a) where a person objects to the Commissioner's acceptance of the application, such person shall, within the same period, give notice to the person affected either by serving on him a copy of his application or by leaving it at the address shown in the notice posted up by the Commissioner;
- (b) notwithstanding anything in any Law or public instrument contained, no fee shall be payable in respect of any such application or affidavit;
- (c) the deposit of five hundred mils shall be returned to the applicant if the application is successful or if the Revising Judge so directs, and in every other case it shall be forfeited.

3. Upon the expiration of the period in paragraph (2) of regulation 2 of this Part provided, the Commissioner shall transmit all applications and notices received to the Revising Judge and, thereupon, the provisions of regulations 6 and 7 of Part I of this Schedule shall apply *mutatis mutandis* to this Part as they apply to Part I.

4. Upon the determination of the applications and notices, the Revising Judge shall, not later than the 29th day of April in the year in which the electors rolls are revised, transmit the same to the Commissioner with an

endorsement of his decision thereon and the Commissioner shall, thereupon, insert in the electors rolls, in their proper alphabetical order and separately for each quarter, the name of every person whose application has been accepted by the Commissioner and not objected to as in paragraph (2) of regulation 2 of this Part provided, as well as all names which should be inserted therein as a result of the decision of the Revising Judge and shall initial and date every such entry.

FORM 1.

(Part I.—Reg. 2 (2).)

List of electors in the town or the quarter of the town of

No.	Surname and name of father (if not the surname)	Name	Occupation	Residential address (Street and number)	*General

* (Insert details as may assist better identification of elector, particularly noting his place of birth where possible, and location of his residence and place of occupation.)

AFFIDAVIT.

I, _____, mukhtar of _____ and _____, azas of _____ do hereby swear/solemnly declare that the particulars hereinbefore in this list contained are true in every respect to the best of our knowledge and belief.

(Sd.)

Sworn/declared and signed by the said _____ and _____, before me on the _____ day of _____, 19 _____.

(Sd.)

FORM 2.

(Part I.—Reg. 4 (1) and Part II.—Reg. 1.)

To the Commissioner of _____,

I, _____, of _____, whose name is not in the electors list for Christians/Moslems for the town or quarter _____ of the town of _____ in respect of the year(s) _____, hereby claim to have my name inserted therein.

2. The grounds for my claim are as follows:—

(a) I was born on _____, at _____;

(b) I was on the _____ limits of _____ ordinarily resident within the municipal _____ and have during the two years prior thereto

actually resided therein and my address/es during such residence was/were

3. My occupation is _____ at _____ and my present residential address is _____

4. I attach receipt of a deposit of five hundred mils with the district treasury.

Dated _____

(Sd.)

FORM 3.

(Part I.—Reg. 4 (1).)

To the Commissioner of _____,

I, _____, of _____, whose name appears in the electors list for Christian/Moslems for the town or quarter _____ of the town of _____ under No. _____ hereby apply to have the name of _____ under No. _____ appearing therein struck off therefrom.

2. The grounds for my application are as follows:—

(Insert full grounds upon which application is based.)

3. Copy of this application has been served on the said */left at _____, being the address shown on the list on the _____, in the presence of _____.

4. I attach receipt of a deposit of five hundred mils with the district treasury.

Dated _____

(Sd.)

* Strike out words not applicable.

FORM 4.

(Part I.—Reg. 4 (2) and Part II.—Reg. 2 (3).)

I, _____, of _____, do hereby swear/solemnly declare that the particulars in this application contained are true in every respect to the best of my knowledge.

(Sd.)

Sworn/declared and signed by the said _____ before me on the day of _____, 19 _____.

(Sd.)

FORM 5.

(Part II.—Reg. 2 (2).)

To the Commissioner of _____,

I, _____, of _____, whose name appears in the electors rolls for Christians/Moslems for the town or quarter _____ of the town of _____ under No. _____ hereby object to the name of _____ being inserted in the electors rolls.

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2. The grounds of my objection are as follows:—

(Insert full grounds of objection.)

3. Copy of this objection has been served on the said
*/left at , being the address shown on the notice of acceptance
posted up by the Commissioner, on the in the presence of

4. I attach receipt of a deposit of five hundred mils with the district
treasury.

Dated

(Sd.)

* Strike out words not applicable.

FORM 6.

(Part II.—Reg. 2 (2).)

To the Commissioner of

I, , of , hereby give you notice that I request
my claim to have my name inserted in the electors rolls for Christians/
Moslems for the town or quarter of the town of in
respect of the year which has been refused by you, considered
by a Revising Judge.

2. The grounds for my request are as follows:—

(a) I was born on at ;

(b) I was on the ordinarily resident within the municipal
limits of and have during the two years prior thereto
actually resided therein and my address/es during such
residence was/were

3. My occupation is at and my present residential
address is

4. My name does not appear on the electors rolls of any other municipal
corporation.

5. I attach receipt of a deposit of five hundred mils with the district
treasury.

Dated

(Sd.)

SECOND SCHEDULE.

(Section 17.)

VOTERS CARD.

No. in Christian/Moslem electors roll.

This is to certify that bearer of is registered as
a voter on the electors roll and is entitled to vote at the election of
councillors for the municipal corporation of in the year 19 at
the polling station situated at

Dated this day of , 19 .

(Signature)

Commissioner of or
Officer duly authorized by the said
Commissioner.

THIRD SCHEDULE.

7 of 20/53

(Section 19.)

GENERAL

NOTICE OF _____ ELECTION.

BYE

Election of Christian (Moslem) Councillors for

TAKE NOTICE.

1. That an election of Christian (Moslem) Councillors for will be held on the _____ day of _____, 19____, between the hours of _____ at the following places:—

2. Each candidate must be nominated in writing, on nomination forms supplied at my office, on the day immediately preceding the election.

3. Each candidate must be nominated by a separate nomination paper subscribed by two electors, as proposer and seconder, and signed by the candidate.

4. Nomination papers must be delivered by the candidate himself, or his proposer or seconder, at my office not later than _____ on the day of _____, 19____.

Date

Commissioner of

FOURTH SCHEDULE.

(Section 39.)

FORM OF AFFIDAVIT BY CANDIDATE AS TO EXPENSES.

I, _____, having been a candidate at the election of a councillor (or councillors) for the council of the municipal corporation of _____, on the _____ day of _____ make oath and say as follows:—

I have paid _____ for my expenses at the said election, and, except, as aforesaid, I have not, and to the best of my knowledge and belief, no person, nor any club, society, or association, has on my behalf, made any payment, or given, promised, or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election.

And I further swear that, except as aforesaid, no money, security, or equivalent for money, has to my knowledge or belief been paid, advanced, given, or deposited by anyone to or in the hands of myself, or any other person, for the purpose of defraying any expenses incurred on my behalf on account of or in respect of the conduct or management of the said election.

And I further swear that I will not at any future time make or be a party to the making or giving of any payment, reward, office, employment or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be a party to the providing of any moneys security, or equivalent for money for the purpose of defraying any such expenses.

Signature

Sworn by the above-named on the _____ day of _____ before me.

(Signed)

Registrar of District Court of

FIFTH SCHEDULE.

(Section 50.)

REGULATIONS FOR THE NOMINATION OF CANDIDATES, AND FOR ELECTION
WHERE NO POLL NECESSARY.

1. The Commissioner of each district shall, from time to time, appoint the time and place at which an election is to be held for each of the councils in his district.

The time so appointed shall be such hours between eight in the morning and five in the afternoon of the day of election as the Commissioner shall determine.

The place of election shall be within the municipal limits of the town or village for which such election is to be held.

The Commissioner shall cause to be posted at several conspicuous places within the municipal limits of the town or village for which the election is to be held, not less than six days before the day of election, a notice declaring the time and place appointed for such election.

2. The election shall be held in such convenient place or places within the municipal limits of the town or village as shall be provided by the Commissioner or his representative.

3. The nomination papers of Christian candidates shall be subscribed by Christian electors only and the nomination papers of Moslem candidates shall be subscribed by Moslem electors only.

4. Each candidate shall be nominated by a separate nomination paper, but the same electors or any of them may subscribe as many nomination papers as there are vacancies to be filled and no more.

5. The name of each candidate shall be subscribed in the nomination paper in such manner, as in the opinion of the Commissioner or his representative, is sufficient to identify such candidate. The description, shall include his name and the name, if any, of his family, or, if none, the name of his father, his abode and his profession or calling.

No objection to a nomination paper on the ground of the description of the candidate therein being insufficient or not being in compliance with this regulation shall be allowed or deemed valid unless such objection is made by the Commissioner or some other person at or immediately after the time of the delivery of the nomination paper.

6. The nomination paper shall be in the form prescribed herein and may be obtained from the Commissioner or his representative on the day immediately preceding the day of election.

7. The candidate nominated by each nomination paper and his proposer and seconder and one other person selected by the candidate and no other person (except the Commissioner and his assistants) shall be entitled to attend the proceedings during the time appointed for the election.

8. The Commissioner or his representative shall on the nomination paper being delivered to him forthwith publish notice of the name of the person nominated as a candidate and the names of his proposer and seconder, by placarding or causing to be placarded the names of the candidate and his proposer and seconder in a conspicuous position outside the building in which the election is to be held.

9. Where the Commissioner or his representative shall, under section 23(1) of the Municipal Corporations Law, Cap. 240, declare any candidate

or candidates who stand nominated, to be elected, he shall forthwith publish a notice in the form prescribed herein by posting or causing to be posted the same in the manner provided in the preceding regulation of these regulations and shall return the name or names of such candidate or candidates to the Colonial Secretary.

10. If, at the expiration of one hour after the time appointed for the election there are more nominations than vacancies the Commissioner or his representative shall adjourn the election for the purpose of taking a poll, such poll shall be taken in the manner provided in the Sixth Schedule to the Municipal Corporations Law, Cap. 240.

11. If after the adjournment of an election by the Commissioner for the purpose of taking a poll, one of the candidates nominated shall die before the poll has commenced, the Commissioner shall, upon being satisfied of the fact of such death, countermand notice of the poll, and all proceedings with reference to the election shall be commenced afresh in all respects as if notice of the election had been given on the day on which proof of such death was made to the Commissioner:

Provided that no fresh nomination shall be necessary for a candidate who stood nominated at the time of the countermand of the poll.

12. No person shall be entitled to receive votes as a candidate for election unless he has been nominated in manner hereinbefore provided and every person whose nomination paper has been delivered to the Commissioner during the time appointed for the election shall be deemed to have been so nominated unless objection be made to his nomination paper by the Commissioner or some other person before the expiration of the time appointed for the election or within one hour afterwards.

13. The Commissioner shall decide on the validity of every objection made to a nomination paper, and his decision if disallowing the objection, shall be final, but if allowing the same, shall be subject to reversal on petition questioning the election.

FORM OF NOMINATION PAPER.

Election to the Council of the municipal corporation of

We the undersigned of and of being entitled to vote at an election of councillors for the municipal corporation of do hereby nominate the following person as a proper person to serve as a councillor on the said council:

Name of person nominated in full.	Place of abode.	Profession or calling.

And I the said do hereby consent to the nomination appearing above.

Dated the day of , 19 .

Proposer
Secunder
Candidate

CAP. 240.] MUNICIPAL CORPORATIONS.

FORM OF DECLARATION OF ELECTION WHERE NO POLL NECESSARY.

Election to the council of the municipal corporation of

I hereby declare the following nominated candidate, viz.:—

to be elected under section 23 of the Municipal Corporations Law, Cap. 240,
to serve as councillor on the council of the municipal corporation of

Dated the _____ day of _____, 19 ____.

(Signed)

Commissioner.

SIXTH SCHEDULE.

(Sections 24 and 50.)

REGULATIONS FOR THE TAKING OF A POLL.

1. For the purpose of taking a poll the Commissioner shall appoint one or more polling places as shall be, in his opinion, most convenient for the electors.

2. The poll shall be taken on such day as the Commissioner shall appoint. The hours of polling shall be from seven a.m. to noon and from one p.m. to six p.m. or may be continued to such later hour up to midnight as the Commissioner in his unfettered discretion may deem fit and so direct: Provided that the Commissioner may vary such hours in every case where owing to the number of voters on the electors list such variation is necessary or desirable.

3. The Commissioner shall cause notice of the day or days, the time and place or places so appointed for taking the poll and of the name, place of abode and calling or profession of each candidate for election to be posted at several conspicuous places in the municipal limits of the town or village for which the election is to be held and to be served on the mukhtar of each quarter of such town or village not less than three days before the first of the days so appointed for taking the poll.

4. The presiding officer shall conduct the poll and shall take such steps as he shall deem necessary for the purpose of keeping order at his station.

5. (1) Upon the receipt by the mukhtar of the notice herein before mentioned he shall communicate the same forthwith to the azas of his quarter and the mukhtar and azas shall, prior to the day of polling choose one of their number (hereinafter called the village representative) to attend personally at the polling station during the time appointed for taking the votes of such quarter, and the person so chosen shall during that time accompany any inhabitant of his quarter requiring to record his vote into the polling station for the purpose of identifying him.

(2) In case—

(a) a mukhtar shall fail to communicate such notice to the azas of his quarter, or

(b) the mukhtar and azas shall make default in choosing one of their number as village representative, or

(c) the representative shall without due cause absent himself from the polling station at any time during the polling,

any such person making default as aforesaid shall be liable to a fine not exceeding one pound.

The absence of the village representative shall not prevent the presiding officer from taking the votes of the quarter concerned.

6. There shall be present in the polling station during the taking of the poll the presiding officer, and such clerks, not exceeding four in number, as the Commissioner may appoint, one person to be appointed by the Commissioner for the control and custody of each ballot box and such interpreter or interpreters as the case may require and the village representatives of the town for which the election is to be held, and each candidate, may, if he thinks fit, attend in person or appoint an agent who may be present in the polling station during the taking of the poll.

7. (1) The Commissioner shall provide the presiding officer with—

(a) a copy of the electors roll of the municipal corporation for which the poll is taken, and

(b) a number of ballot boxes equal to the number of candidates for the election, and

(c) a sufficient number of voting tickets.

(2) Each ballot box shall bear the full name of one of the candidates plainly and legibly printed or written thereon in English and Greek or English and Turkish according as to whether the candidate is a Christian or Moslem.

8. Ballot boxes shall be of a kind to be approved by the Governor.

46 of 23/42.

9. Immediately before the commencement of the polling the presiding officer shall show each ballot box empty to such persons as may be present so that they may see that it is empty, and shall then lock it and place his seal upon it, in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of voting tickets, and shall keep it so locked and sealed.

10. (1) Not more than ten voters shall be allowed to be in the polling station at the same time. On admission each voter shall, in the presence of the persons named in regulation 6 hereof, state his name and place of residence and shall be identified by the village representative of his quarter and thereupon the voter shall deliver to the clerk his voters note. Upon receipt of the voters note the clerk shall cause a mark to be placed against the name of such voter in a copy of the electors roll, which he shall have available for that purpose, and shall hand to the voter his voters card:

19 of 19/45.

Provided that, notwithstanding that a voter fails, for any reason, to deliver his voters note, the clerk shall nevertheless hand to him his voters card if such voter is otherwise identified as the person named in such card.

(2) On receipt of his voters card the voter shall hand the same to the presiding officer and shall then proceed to vote as in regulation 11 hereof provided.

(3) Any person who delivers to the clerk a voters note knowing the same to have been forged shall be guilty of an offence and shall on conviction be liable to a fine not exceeding twenty-five pounds or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

11. The presiding officer shall then hand to each of the persons in custody of the ballot boxes a number of voting tickets equal to the number of voters present in the polling station. Each such person holding the ballot tickets shall stand near the ballot box to which he is attached and hand over to every voter as he passes by the ballot box one voting ticket

stating at the same time in a clear manner, in English, Greek or Turkish as the case may be, the full name of the candidate to whom the ballot box belongs. The voter on receiving the voting ticket and holding the same shall raise his hand in order to show that he holds but one voting ticket and immediately afterwards shall put his hand into the ballot box and vote, and the same process shall be repeated until the voter passes by all the ballot boxes.

12. No person other than the persons appointed in custody of the ballot boxes shall hand over the voting tickets to the voters or state the names of the candidates.

13. No person shall be entitled to vote at any polling station except at the one allotted to him under the provisions of this Law.

14. No person shall be permitted to vote unless—

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(a) his name is entered in the electors roll; and

19 of 19/45.

(b) he is identified either by the presiding officer or by the village representative as the person whose name is so entered; and

(c) he delivers to the presiding officer his voters card.

15. Each presiding officer shall as soon as practicable after the close of each day's polling in the presence of the candidates or their agents close and seal up the openings of all the ballot boxes in use at his station, and shall on the ensuing day in the presence of the candidates or their agents immediately before the time fixed for the re-opening of the poll unclose and remove such seals from the openings of the ballot boxes.

16. Each presiding officer shall take such steps as he may think necessary for the safe custody of the ballot boxes and voting tickets in use at his station between the hours of polling, and for preventing all persons except his assistants from having access thereto.

17. Each presiding officer shall as soon as practicable after the close of the poll in the presence of the candidates or their agents secure and seal up the openings of all the ballot boxes, and shall deliver the said boxes with all convenient speed to the Commissioner.

18. The candidates or their agents may attend the counting of the votes.

19. The Commissioner shall make arrangements for counting the votes in the presence of the candidates or their agents as soon as practicable after the close of the poll and shall give to the candidates or to their agents appointed to attend at the counting of the votes notice in writing of the time and place at which he will begin to count the votes.

20. The Commissioner, his clerks and assistants, and the candidates or their respective agents and no other person except with the sanction of the Commissioner, may be present at the counting of votes.

21. If any ballot box contains more or less voting tickets than the number of voters who voted at the poll it shall not vitiate the election but if the number of voting tickets are in excess of such number of voters the Commissioner shall deduct them from the "Ayes" appearing in such ballot boxes.

22. If the candidate or his agent shall fail to be present at the close of the polling as in regulations 15 and 17 hereof mentioned, or at the counting of the votes as in regulation 19 hereof mentioned the presiding officer or the Commissioner, as the case may be, shall proceed in accordance with the provisions of these regulations as if the candidate was present in person or represented by his agent.

SEVENTH SCHEDULE.

(Section 61.)

REGULATIONS FOR MEETINGS AND PROCEEDINGS OF COUNCILS.

1. Meetings of the council shall be held on any day in the second week of ^{47 of 23/42.} every month for the transaction of general business.
2. Meetings of the council shall be private, and every question coming before the council shall be decided by open voting.
3. The mayor may at any time call a meeting of the council.
4. Twenty-four hours at least before any meeting of the council a summons to attend the meeting specifying the business to be transacted thereat, and signed by the mayor shall be left at the usual place of abode of every member of the council.
5. If the mayor refuses to call a meeting after a requisition for that purpose, signed by half of the members of the council, has been presented to him, such members of the council may forthwith on that refusal, call a meeting. If the mayor, without so refusing, does not within seven days after such presentation call a meeting such members of the council may on the expiration of these seven days, call a meeting.
6. Twenty-four hours at least before any meeting of the council notice of the time and place of the intended meeting, signed by the mayor or if the meeting is called by members of the council, by those members shall be posted on or near the outer door of the town clerk's office during office hours. When the meeting is called by members of the council, the notice shall specify the business proposed to be transacted thereat.
7. Want of service of the summons on any member of the council shall not affect the validity of the meeting.
8. No business shall be transacted at a meeting other than that specified in the summons relating thereto, unless there are present and consenting at least two-thirds of the entire number of the council.
9. At every meeting of the council the mayor, if present, shall be chairman, if the mayor is absent, then the deputy mayor shall be chairman. If both the mayor and deputy mayor are absent, then such councillor as the members of the council then present choose, shall be the chairman.
10. All acts of the council and all questions coming or arising before the council may be done and decided by a majority of such members of the council as are present and vote at a meeting held in pursuance of the Municipal Corporations Law, Cap. 240, the whole number present at the meeting whether voting or not, not being less than a quorum, that is to say: half of the number of the whole council, except in such cases where such Law provides for a special quorum.
11. In case of equality of votes, the chairman of any meeting shall have in addition to his own vote, a second or casting vote.
12. Minutes of the proceedings of every meeting shall be drawn up correctly by the town clerk and entered in a book kept for that purpose and shall be signed in manner authorized by the Municipal Corporations Law, Cap. 240.
13. Any member, who in the opinion of the chairman, uses language which is disrespectful to the chairman, or any member who uses language

which in the opinion of the chairman is personally approbrious to the chairman or to any member of the council present or any member who is in the opinion of the chairman guilty of conduct calculated to retard or obstruct the business of the council, may be called to order by the chairman and if the member does not apologise for such language or misconduct forthwith, or offends against this regulation a second time during any one meeting, he may be called upon by the chairman to withdraw, and on his failing to do so may be expelled by any peace officer at the request of the chairman.

14. Any member who has withdrawn or has been expelled under the provisions of these regulations shall be liable in respect of any second offence against such regulations at any subsequent meeting within three months from the date of such withdrawal or expulsion to be suspended by the chairman from attendance at meetings and performance of all powers of a councillor for such period, not exceeding three months, as the chairman shall think fit.

EIGHTH SCHEDULE.

(Section 85.)

PREPARATION OF MUNICIPAL ESTIMATES.

The estimates shall be prepared in accordance with the following provisions:—

1. Against each item of revenue and expenditure the amount estimated for the coming year, and the amount of the approved estimate for the current year, shall be shown.

2. The estimates of revenue shall include all fees, fines, dues, rents, rates and other moneys payable into the town fund and shall be arranged under comprehensive heads.

3. The estimates of expenditure shall be framed so as to show as nearly as possible the amount which it is expected will actually be spent during the year.

4. No item of receipt or expenditure shall be included under the head "miscellaneous" which can appropriately be placed under any other head.

5. Any item for "contingencies" or "miscellaneous" shall be confined to petty and casual charges which are foreseen but are too unimportant to be provided for separately.

6. New heads or sub-heads shall be opened for items of receipt or expenditure not properly falling within any of those already appearing in the estimates.

7. The total estimated expenditure of the year should not in ordinary circumstances be allowed to exceed the total estimated revenue.

8. There will be two heads for public works, all annually recurrent services being placed under the first head, and other works under the second.

9. The estimates when submitted to the Governor shall be accompanied by explanations respecting every item of an unusual nature therein comprised and of the difference under each item between the proposed expenditure or anticipated revenue and the approved estimate for the preceding year, as shown in the parallel columns.

NINTH SCHEDULE.

PART I.

(Section 95.)

OATH BY VALUER.

12 of 41/44.

I, _____, of _____, do solemnly swear that I shall faithfully and honestly and to the best of my skill and ability make any valuation required of me under the provisions of the Municipal Corporations Law.

PART II.

(Section 96.)

VALUATION LIST.

Valuation for the purposes of the assessment of town rate in made the _____ day of _____, 19 ____.

Serial No.	Name of occupier (a)	Name of owner	Description of property	Situation	Annual value.

(a) Subject to the proviso of section 96.

The particulars contained in the above valuation are correct to our best knowledge and belief.

(Signed)

Valuer/Valuers.

PART III.

(Section 100.)

Application for the revision of the valuation list for _____ To the Revision Committee,

I, _____, of _____, hereby apply for the revision of the above named valuation list in respect of the following property, that is to say, _____ on the following grounds:—

Date

(Signature)

PART IV.

(Section 108.)

REGULATIONS.

1. The bailiff upon receiving a warrant issued by the mayor under the provisions of section 109 of this Law shall proceed to the due execution of the same.

2. Every such warrant shall be executed by the bailiff after sunrise and before sunset by the seizure of so much of the movable property of the

person or each one of the persons named in the warrant as would, in his opinion, be amply sufficient to satisfy the amount severally due by such person or each one of such persons.

3. It shall be the duty of the bailiff to keep in safe custody all such property as may have been so seized and, unless the amount due has been in the meantime paid, to sell the same by public auction to the highest bidder within the period prescribed by this Law.

Cap. 329.

4. The provisions of section 9 of the Tax Collection Law (relating to exemption from seizure or sale) shall apply *mutatis mutandis* to these regulations as they apply to the said Laws.

5. (a) In case no bid is made for the property so put up to auction or in case the price bid is manifestly low and inadequate the bailiff may adjourn the sale to another day being not later than three days from the day of the adjourned sale.

(b) The bailiff shall post a notice containing the date for such adjourned sale and a description of the property to be sold thereat at some conspicuous place within the municipal limits.

(c) On the date fixed for the adjourned sale the bailiff shall sell the property by public auction to the highest bidder.

6. Upon the completion of the sale the bailiff shall pay into the town fund such part of the proceeds of the sale as may be sufficient to cover the amount due together with the costs of seizure and sale and shall pay any surplus thereof to the owner of the property sold and obtain from such owner a receipt therefor.

7. It shall be the duty of the bailiff to keep a book to be called a warrant book which shall contain the following particulars:—

(a) number and date of the warrant;

(b) date when received;

(c) name or names of defaulters;

(d) total to be recovered from each defaulter:—

(i) original amount;

(ii) costs;

(e) date of seizure;

(f) date of sale;

(g) amount actually recovered;

(h) amount paid into the town fund and date of payment;

(i) amount of surplus, if any, paid to owner of the property sold and date of payment;

(j) remarks.

TENTH SCHEDULE.

PART I.

(Sections 157 and 158.)

FEES FOR LICENCES FOR CARRYING ON PROFESSION, ETC.

	<i>Annual fee not exceeding</i>	
(a) Yearly licences:—		
1. any individual person (other than persons included in paragraphs 2 and 3 hereof)	£ 6	13 of 41/44.
2. any money-lender, wine and spirit merchant and any person selling intoxicating liquors (whether local or foreign and whether by wholesale or retail)	25	
3. any tobacco or wine and spirit manufacturer and distiller	50	
4. any banking establishment, company or partnership as such (other than such as are included in paragraphs 5 and 6 hereof)	50	
5. any insurance agency as such... ..	25	
6. any telegraph agency as such	10	
(b) Half yearly licences:—		
The one half of the fees hereinbefore set out.		

PART II.

(Section 159.)

FEES PAYABLE BY GOVERNMENT SERVANTS, ETC.

	<i>Mils per annum.</i>
Class 1. Officers and servants whose salary does not exceed £100 per annum	250
Class 2. Officers and servants whose salary exceeds £100 but does not exceed £300 per annum	500
Class 3. Officers and servants whose salary exceeds £300 but does not exceed £600 per annum	1,000
Class 4. Officers and servants whose salary exceeds £600 but does not exceed £1,000 per annum	2,000
Class 5. Officers and servants whose salary exceeds £1,000 per annum	3,000

PART III.

(Section 160.)

FORM OF LICENCE.

Licence to carry on Profession, Trade or Business.

Licence is hereby granted to _____ of _____, to carry on the profession, trade or business of _____ within the municipal town limits of _____ until the _____ day of _____, 19 _____.

Duty paid £ _____

(Signed)

Treasurer.

ELEVENTH SCHEDULE.

(Section 164.)

HAWKING FEES.

<i>Item No.</i>	<i>Articles.</i>	<i>Daily</i>
47 of 23/42.	1. Vegetable and fruits, etc.:	
	(a) For a usual animal load	2 <i>p.</i>
	(b) For half a load or one big basket (<i>kofina</i>)	1 <i>p.</i>
	(c) For an ordinary basket	0½ <i>p.</i>
	(d) For larger quantities—proportionate sums.	
	2. Fowl and chicken:	
	(a) For every live chicken or fowl exposed for sale ...	0¼ <i>p.</i>
	(b) For every live turkey or fowl exposed for sale ...	0½ <i>p.</i>
	(c) For every chicken or fowl killed, exposed for sale...	1 <i>p.</i>
	(d) For every turkey or fowl killed, exposed for sale ...	2 <i>p.</i>
	3. Other articles:	
	For hawking articles not otherwise enumerated ...	4 <i>p.</i>

TWELFTH SCHEDULE.

(Section 166.)

FORM OF LICENCE TO USE A BUILDING, ETC., FOR CERTAIN PURPOSES.

being the owner, (lessee or occupier) of premises (or a tent) known as _____ and situated at _____ is hereby authorized to use the said premises or to cause or allow the said premises to be used for the purpose of _____ for a period of _____ from the day of _____ (or upon the _____ day of _____) upon the following conditions and subject to the provisions of the Municipal Corporations Law, and any law amending the same.

Conditions.

1. The said premises (or tent) and the fittings, fixtures, furniture, and lighting and ventilating arrangements thereof respectively, shall not be altered without the consent in writing of the council first had and obtained.

2. Not more than _____ persons, including children, shall be allowed in the premises (or tent) at any one time, of whom not more than _____ shall be allowed in _____ (*set out particulars of numbers who may be allowed in various parts of the premises.*)

3. All fire appliances shall be kept in good working order and ready for use.

4. Whenever the public is admitted to the premises (or tent) at least _____ persons shall be in charge of the fire appliances.

5. No cinematograph film shall be publicly exhibited in the premises (or tent) which has not been passed by the censor under any enactment in force for the time being respecting the censorship of such films.

6. This licence cannot be transferred without the consent of the council first obtained. Any such consent must be in writing signed by the mayor and the town clerk.

7. This licence shall be exhibited in a conspicuous place near the main entrance of the premises (or tent).

8. Fee paid for this licence £ no part of which shall be returnable if this licence is cancelled or revoked for any reason.

Special conditions (if any):

Dated

Signed

Mayor.

Signed

Town Clerk.

N.B.—This licence expires on the
19 .

day of

THIRTEENTH SCHEDULE.

(Sections 172, 173, and 178.)

WEIGHING AND MEASURING FEES.

47 of 23/42.

ITEM NO.	GOODS	MINIMUM WEIGHT Okes	FEES	
1.	Almond	10	1 para per oke	
2.	Aniseed	20	2 paras "	
3.	Asbestos fibre or Asbestos in any other state, on exportation	40	27 paras per ton	9(a) of 20/53.
4.	Barley	20	6 " per 20 oke	
5.	Beans	20	1 para per okes	
6.	Butter (of milk)	10	5 paras "	
7.	Butter, other—such as cocoline vegetalaine, etc.	10	2 " "	
8.	Carobs, natural or ground	40	20 " per cantar	
9.	Carobs, natural or ground, on exportation	40	2½p. "	
10.	Charcoal	20	1 para per oke	
11.	Coal	40	0½ " "	
12.	Colocas	20	1 " "	
13.	Cotton, unginned	40	1 " "	
14.	Cotton, ginned	20	2 paras "	
15.	Cotton seed	20	0½ para "	
16.	Cumin seed	20	2 paras "	
17.	Favetta	20	10 " per 20 okes	
18.	Flour	20	1 para per oke	
19.	Fruit, fresh (other than oranges and lemons)	10	1 " "	
20.	Fruit, dry (raisins, dry or boiled)	20	1½ paras "	
21.	Fruits, dry, with shells removed	10	3 " "	
22.	Fuel... ..	40	0½ para "	
23.	Gypsum	40	4½p. per ton	
24.	Gypsum, on exportation	75	2p. "	
25.	Hazelnuts	10	1 para per oke	
26.	Hay	40	0½ " "	
27.	Konari	20	1 " "	
28.	Lime	40	0½ " "	
29.	Limestone, whether in its natural state, or cut to pieces or ground	40	5 paras per ton	6 of 31/51.
30.	Linseed	20	1 para per oke	
31.	Mavrokokko	20	2 paras "	
32.	Nuts	10	1 para "	
33.	Oats	20	6 paras per 20 okes	
34.	Oil, olive	10	3 " per oke	
35.	Oil, other	10	1 para "	
36.	Olives	20	2 paras per oke	
37.	Olive stones	40	0½ para "	
38.	Onions	20	0½ " "	
39.	Peas and other pulse	20	1 " "	
40.	Potatoes	20	1 " "	

ITEM NO.	GOODS	MINIMUM WEIGHT	FEEES
		Okes	
41.	Pumice stone	40	4½p. per ton
42.	Sesame	20	1 para per oke
43.	Silk	3	30 paras "
44.	Silk cocoons, dry	10	5 " "
45.	Silk cocoons, fresh	5	3 " "
46.	Straw	40	0½ para "
47.	Straw, on exportation	75	0½ " "
48.	Sumac	40	0½ " "
49.	Terra umbra, natural, in lumps or ground	40	2½p. per ton
50.	Terra umbra, calcined, in lumps or ground	40	4½p. "
51.	Vetches	20	10 paras per 20 okes
52.	Vikos	20	10 " "
53.	Wheat	20	10 " "
54.	Wines and spirits	20	1 para per oke
55.	Wood	40	0½ " "
56.	Wool	40	3 paras "
57.	Zivania: weighing and testing by Cartier's hydrometer	40	1½ " "
58.	Zivania: measuring and testing by Sykes' hydrometer	40	6 " "
		MINIMUM MEASURE	
59.	Lemons	100	5 paras per 100
60.	Oranges (Jaffa)	100	10 " "
61.	Oranges (other kinds) and grape fruit	100	5 " "
62.	Mandarines	100	10 " "

9(b) of 20/53.

Fees shall be calculated on the actual weight of the goods weighed at the above rates: Provided that,

Fractions under 5 paras shall not be counted for collection.

For fractions of 5 paras and over and under 15 paras the sum of 10 paras shall be counted for collection.

For fractions of 15 paras and over and under 20 paras the sum of 20 paras shall be counted for collection.

Provided also that the minimum fee for any one weighing or measuring shall be 3 mils.