

CYPRUS

AGRICULTURAL DEBTORS

CHAPTER 25 OF THE LAWS

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1959

CHAPTER 25.

AGRICULTURAL DEBTORS.

ARRANGEMENT OF SECTIONS.

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A LAW TO PROVIDE FOR THE RELIEF OF INDEBTEDNESS OF
AGRICULTURAL DEBTORS IN THE COLONY.

[1st June, 1940]. 1949 Cap. 36.

1. This Law may be cited as the Agricultural Debtors Relief Law. Short title.

2. In this Law—

Interpre-
tation.

“action” includes all proceedings of a civil nature before any Court of law ;

“agriculture” includes horticulture, sericulture and dairy farming and the use of land for any purpose of husbandry inclusive of the keeping or breeding of live stock, poultry or bees and the growing of fruits, vegetables and the like ;

“amount payable under an award” means an amount included under section 27 (1) (e) in an award as payable by a debtor in respect of any debt or any part of such amount which remains unpaid, together with any interest on such amount or part thereof which is due under the award ;

“award” means an award as made by a Board under section 24 (5) or section 26 ;

“Board” means the Debt Settlement Board established under the provisions of section 3 (1), and includes any members of the Board authorized under the provisos to section 8 ;

“Co-operative Society” means a co-operative society registered or deemed to be registered under the provisions of the Co-operative Societies Law ;

Cap. 114.

“debt” includes all liabilities of a debtor in money or in kind secured or unsecured, whether payable under a judgment or order of a Court of Law or under any agreement for the sale of immovable property or otherwise, and whether payable presently or in future, and all liabilities of a debtor arising out of any transaction which is, in the opinion of the Board, in substance a loan :

Provided that it shall not include the following—

(a) any amount the liability for the payment of which is only contingent ;

(b) any share of the produce of land payable on account of land cultivated in partnership ;

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- (c) any amount recoverable—
- Cap. 329. (i) as a tax or duty under the Tax Collection Law, or
- Cap. 155. (ii) as a penalty under the Criminal Procedure Law ;
- (d) any amount an action for the recovery of which is barred by lapse of time under the provisions of any Law in force for the time being, except where such amount can be recovered by proceedings taken or which may be taken under the provisions of the Sale of Mortgaged Property Law ;
- 2 of 4/43.
Cap. 233. (e) any loan made by the Agricultural Bank of Cyprus Limited ;
- (f) any Government loan assigned to the Agricultural Bank of Cyprus Limited under the provisions of the Agricultural Bank of Cyprus Limited (Special Privileges) Law, which Government loan when so assigned shall, for all the purposes of this Law, be deemed to be a loan made by the Agricultural Bank of Cyprus Limited ;
- Cap. 122. (g) any loan made by a Co-operative Society ;
- (h) all wages or salary of any clerk or servant in respect of services rendered to the debtor during two months next preceding the date of an application under section 9, not exceeding ten pounds ;
- (i) all wages of any labourer or workman not exceeding three pounds, whether payable for time or for piece-work, in respect of services rendered to the debtor during one month before the date of an application under section 9 ;
- (j) all amounts, not exceeding in any individual case twenty pounds, due in respect of compensation under the Mines and Quarries (Regulation) Law, the liability whereof accrued before the date of an application under section 9 ;
- Cap. 270. “ debtor ” means a debtor—
- (a) whose primary means of livelihood is agriculture ; and
- (b) who cultivates land by himself or by members of his family or by hired labourers ; and

- (c) who is the owner of immovable property the assessed value of which as shown in the books of the District Lands Office does not in the aggregate exceed the sum of one thousand and five hundred pounds.

and includes a group of persons who join in making an application under section 10 (1) ;

“ family ” means the spouse, son, daughter, father and mother of the debtor, or any of them, who may be wholly or in part dependent upon the earnings of such debtor ;

“ member of the Board ” and “ members of the Board ” include the Chairman of the Board and every Vice-Chairman of the Board ;

“ settlement ” includes an amicable settlement and a compulsory settlement or adjustment made by order of the Board ;

“ supplementary income ” means any income derived by the debtor from any source other than agriculture.

3. (1) The Governor may by notification in the Gazette establish a Debt Settlement Board for the purposes of this Law. Establishment of Debt Settlement Board.

(2) The Board shall consist of such members as the Governor may from time to time determine, to be appointed by the Governor :

Provided that the majority of the members of the Board holding office for the time being shall possess legal qualifications or shall have experience in judicial proceedings.

(3) From among the members of the Board, the Governor—

(a) shall appoint a Chairman, and

(b) may appoint such number of Vice-Chairmen as he may from time to time determine.

(4) Every member of the Board shall hold office during the pleasure of the Governor who may at any time revoke any appointment made under subsection (2) or (3).

(5) Every appointment or revocation of appointment made under this section shall be published in the Gazette.

(6) Every member of the Board may receive such remuneration or salary as the Governor may determine.